

VOTERS' PAMPHLET

WASHINGTON STATE ELECTIONS
& CLARK COUNTY

GENERAL ELECTION
NOVEMBER 6



2018

YOUR BALLOT WILL BE MAILED BY **OCTOBER 19**

(800) 448-4881 | vote.wa.gov

OFFICIAL PUBLICATION



Secretary of State
Kim Wyman

A message from Secretary of State Kim Wyman

Welcome to your 2018 General Election Voters' Pamphlet!

This important election will decide local, state, and national races and issues. All 10 of Washington's congressional seats and a statewide race for the U.S. Senate are on the ballot in this election, as are all 98 seats in the state House of Representatives and 25 of 49 seats in the state Senate. City and county elections will select judges, council members, and other officials who administer day-to-day government functions locally.

Several statewide initiatives are on the ballot this year as well, with the potential to significantly affect public policy and Washingtonians' lives. For more than a century, citizens have used petitions to place issues directly before the state's voters, and the Voters' Pamphlet has provided valuable information about what each proposal would do. Inside this edition of the Pamphlet, you'll find explanations of each initiative, the impact each would have on state government finances, and arguments for and against.

To participate in this election, you must be registered to vote in Washington. You may check your registration status anytime online at MyVote.wa.gov. If you are not yet registered to vote in this year's General Election, you have until October 29th to register at your county's elections office.

This year, you and voters throughout the state will be able to return ballots by mail without using a stamp. This new convenience provides greater access to elections. Whether you use a mailbox or drop box, you can cast your vote postage-free.

Voting is your opportunity to make your voice heard at the ballot box and make a difference in your community. Please take time to read through this Voters' Pamphlet to learn about the important issues and political offices being decided this year, and then fill out your ballot and return it by November 6th by mail or in one of your county's drop boxes.

Thank you for your time and your participation in the political process. Make an impact in your community and our state by voting this fall!



A handwritten signature in black ink that reads "Kim Wyman".

Kim Wyman
Secretary of State



@secstatewa



/WASecretaryofState
/WashingtonStateElections

November 6, 2018 General Election

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Political parties

Washington State Democrats

PO Box 4027
Seattle, WA 98194
(206) 583-0664
info@wa-democrats.org
www.wa-democrats.org

Washington State Republican Party

11811 NE 1st St, Ste A306
Bellevue, WA 98005
(425) 460-0570
caleb@wsrp.org
www.wsrp.org



Who donates to campaigns?

View financial contributors for
candidates and measures:

Public Disclosure Commission

www.pdc.wa.gov
Toll Free (877) 601-2828

Voting in Washington State

Qualifications

You must be at least 18 years old, a U.S. citizen, a resident of Washington State, and not under Department of Corrections supervision for a Washington State felony conviction.

Register to vote & update your address

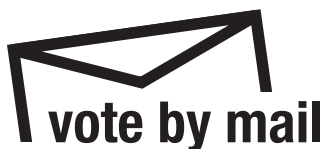
The deadline to update your voting address has passed. Contact your *former* county elections department to request a ballot at your new address.

New voters may register in person until **October 29** at your county elections department.

Military voters are exempt from voter registration deadlines.

Cast Your Ballot

- 1 Your ballot will be mailed to the address you provide in your voter registration.



- 2 Vote your ballot and sign your return envelope.



- 3 Return it by mail or to an official ballot drop box by **8 p.m. on November 6**. No stamp needed for this election!



Where is my ballot?

Your ballot will be mailed by October 19.

If you need a replacement ballot, contact your county elections department listed at the end of this pamphlet.

View Election Results

VOTE.WA.GOV

or get the mobile app

WA State Election Results





Accessible pamphlet available



Audio and plain text voters' pamphlets available at **vote.wa.gov**.

No Internet access?

To receive a copy on CD or USB drive, call **(800) 448-4881**.



Language assistance

Se habla español

Todos los votantes del estado de Washington tienen acceso al folleto electoral y a los formularios de inscripción en español por internet en **www.vote.wa.gov**.

Adicionalmente, los votantes de los condados de Yakima, Franklin y Adams recibirán su boleta y folleto electoral de forma bilingüe antes de cada elección.

Si usted o alguien que conoce necesitan asistencia en español llame al **(800) 448-4881**.

中國口語

所有華盛頓州的選民都可在網站 **www.vote.wa.gov** 查看中文選民手冊和選民登記表格。

此外，金郡選民也可登記在每次選舉前自動獲取中文選票和選民手冊。

如果您或您認識的人需要語言協助，請致電 **(800) 448-4881**。

Việt Nam được nói

Tất cả cử tri ở Tiểu Bang Washington có thể truy cập sách dành cho cử tri và đơn ghi danh cử tri bằng tiếng Việt trực tuyến tại **www.vote.wa.gov**.

Ngoài ra, cử tri ở Quận King có thể đăng ký để tự động nhận lá phiếu và sách dành cho cử tri bằng tiếng Việt trước mỗi cuộc bầu cử.

Nếu quý vị hoặc người nào quý vị biết cần trợ giúp ngôn ngữ, xin vui lòng gọi **(800) 448-4881**.

The Ballot Measure Process

The Initiative

Any voter may propose an initiative to create a new state law or change an existing law.

Initiatives to the People

are proposed laws submitted directly to voters.

Initiatives to the Legislature

are proposed laws submitted to the Legislature.

The Referendum

Any voter may demand that a law proposed by the Legislature be referred to voters before taking effect.

Referendum Bills

are proposed laws the Legislature has referred to voters.

Referendum Measures

are laws recently passed by the Legislature that voters have demanded be referred to the ballot.

Laws by the People

Before an **Initiative to the People** or an **Initiative to the Legislature** can appear on the ballot, the sponsor must collect...



259,622

**VOTERS'
SIGNATURES**

8% of all votes in the last
Governor's race



129,811

**VOTERS'
SIGNATURES**

4% of all votes in the last
Governor's race

**Initiatives & Referenda
BECOME LAW**
with a simple
MAJORITY VOTE

Initiative Measure No.

1631

Initiative Measure No. 1631 concerns pollution.

This measure would charge pollution fees on sources of greenhouse gas pollutants and use the revenue to reduce pollution, promote clean energy, and address climate impacts, under oversight of a public board.

Should this measure be enacted into law?

☐ Yes

☐ No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

Explanatory Statement

Written by the Office of the Attorney General

The Law as it Presently Exists

Under existing law, Washington has set goals to reduce greenhouse gases emitted in Washington. Those gases include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and other gases designated by the Department of Ecology. The goals are to reduce greenhouse gas emissions in the state to 1990 levels by 2020 and to continue reducing greenhouse gas emissions to achieve fifty percent of 1990 levels by 2050. The Department of Commerce is responsible for developing a plan to reduce greenhouse gas emissions and reporting progress toward meeting the state's goals. State agencies are required to reduce greenhouse gas emissions by certain specified levels.

Various laws and state agency rules relate to the reduction of greenhouse gas emissions. These include emission standards for certain power plants, renewable fuel standards, building codes, requirements for utilities to use renewable resources, converting state vehicles to clean fuels, motor vehicle emission standards, and land use laws such as the Growth Management Act, which encourage efficient transportation systems.

Under the State Environmental Policy Act (SEPA), state and local government must engage in a variety of public processes to review, avoid, or minimize environmental impacts. These processes include analyzing greenhouse gases and considering input from individuals and Indian tribes concerning environmental impacts of state permitting or other action.

The Effect of the Proposed Measure if Approved

This measure would impose a pollution fee on large emitters of greenhouse gases. Money raised by the fee would be used for certain environmental programs and projects. The measure would create a public oversight board to implement the measure and approve funding for programs and projects. It also sets forth procedures for proposing and approving the programs and projects that could be funded by money generated from the new fee.

The pollution fee imposed by the measure would apply to fossil fuels sold or used within this state and electricity generated within or imported into this state. Fossil fuels include motor vehicle fuel and other petroleum products intended for combustion, natural gas, coal, coke, and any form of fuel created from these products. The pollution fee would be collected only one time on any particular unit of fossil fuels or energy. This means that the fee would not have to be paid again by subsequent sellers or users of the same fuel or energy.

The fee imposed on fossil fuels would be collected from various persons or companies. For motor vehicle fuel and "special fuel" (diesel and certain other fuels), the fee would be collected from fuel licensees who currently pay the motor vehicle fuel taxes on those fuels. For natural gas, the fee would be collected from natural gas public utilities or entities that pay the state's natural gas use tax. For refinery facilities, the fee would be collected from the refinery for fossil fuels consumed or used by the refinery. The fee may also be collected from a seller of fossil fuels to end users or consumers, a seller of fuel used for certain combined heat and power, or from other persons designated by the Department of Revenue.

The fee imposed on electricity would be collected from importers of electricity generated using fossil fuels, importers of electricity generated from an unspecified source, or a power plant located in Washington that generates electricity using fossil fuels.

The fee charged would be based on the amount of carbon content in the fossil fuels. In the case of electricity, the fee would be based on the carbon content of the fossil fuels used to generate the electricity. "Carbon content" means the carbon dioxide equivalent released from burning or oxidation of fossil fuels. Carbon dioxide equivalent is a measure used to compare emissions from various greenhouse gases based on their global warming potential. So the carbon content of a fossil fuel is a measure of the carbon dioxide and other greenhouse gases that are released when the fossil fuel is burned or otherwise consumed. For purposes of calculating the fee, the Department of Ecology is responsible for determining the carbon content of fossil fuels or inherent in electricity.

Beginning January 1, 2020, the pollution fee is set at fifteen dollars per metric ton of carbon content. The fee increases by two dollars per metric ton each year and is also adjusted for inflation each year. The two-dollar annual increases continue until the state's existing greenhouse gas reduction goal for 2035 is met and the state is on pace and likely to meet the 2050 greenhouse gas reduction goal. At that time, the pollution fee will be fixed, except for the annual inflation adjustments.

The measure would not impose the fee in certain circumstances. For example, the fee would not apply to fossil fuels brought into Washington in the fuel supply tank of a motor vehicle, vessel, locomotive, or aircraft. It would not apply to fossil fuels exported or sold for export outside Washington. It would not apply to fossil fuels supplied to a light and power business for purposes of generating electricity. It would not apply to fossil fuels and electricity sold to and used by certain facilities designated by the Department of Commerce as within energy-intensive and trade-exposed industries. It would not apply to aircraft fuels, certain fuel used for agricultural purposes, and

motor vehicle fuel or special fuel currently exempt from taxation. It would not apply to Indian tribes and Indians in circumstances where they are exempt from state taxation. The fee would not apply to facilities that generate electricity by burning coal, if those facilities are legally bound to close by 2025 or to comply with certain emission standards by 2025.

The measure also allows for credits in certain circumstances. For example, a fee-payer may receive a credit if the fossil fuel or electricity is subject to a similar fee on carbon content in another jurisdiction and the fee-payer receives approval from the Department of Commerce. A light and power business or gas distribution business, also known as a utility, may receive a credit up to the full amount of the fee for investments in programs, activities, or projects consistent with a clean energy investment plan. But to receive that credit, the utility's clean energy investment plan must be approved by the state Utilities and Transportation Commission (for investor-owned utilities) or the Department of Commerce (for consumer-owned utilities).

The measure would establish a public oversight board to implement the new law. The board would have fifteen voting members: the chair; the Commissioner of Public Lands; the directors of the Department of Commerce, the Department of Ecology, and the Recreation and Conservation Office; four at-large positions; and six co-chairs of three investment panels. The three investment panels would be created by the measure and would provide advice and recommendations to the board and assist in developing criteria for approving spending on certain projects. There would be certain requirements for the at-large positions and the six co-chairs.

The board would have numerous powers and duties. It would make decisions about which projects and programs to fund with the moneys raised by the pollution fee. It would review and approve rules developed by other agencies that set guidelines for the various programs required or funded by the measure. The board would consult with other agencies and government bodies, Indian tribes, and others in developing projects. It would report to the Governor and Legislature regarding progress and challenges in implementing the measure.

The measure would require consultation with Indian tribes by any state agency implementing the law, or receiving funding for projects, on decisions that may directly affect Indian tribes and tribal lands. The board could not approve spending on projects that directly affect an Indian tribe's lands or usual and accustomed fishing areas without first engaging in this formal consultation and following a mutually agreed timeline for the consultation. If a project is funded without this consultation and directly affects lands owned or controlled by an Indian tribe or affects lands where a tribe has a significant interest, action on the project

must cease upon request by an affected Indian tribe.

The measure would place all pollution fees collected in the state treasury in an account called the "clean up pollution fund." Expenditures from the fund would be limited to certain investments defined in the measure. The measure includes certain criteria that must be considered when approving funding.

The measure would allow money from the clean up pollution fund to be used for reasonable administrative costs. After administrative costs, the clean up pollution fund must be used for certain categories of investments: seventy percent of the clean up pollution fund must be spent on clean air and clean energy investments, twenty-five percent for clean water and healthy forest investments, and five percent for healthy communities investments. The board may allow different percentages in certain circumstances.

The measure defines clean air and clean energy investments as programs, activities, or projects that reduce pollution or that assist affected workers or people with lower incomes. As noted above, seventy percent of the fund would be spent in this category. The measure identifies some programs that fit this spending category, including those that promote renewable energy such as solar and wind power; that increase energy efficiency; that reduce transportation-related carbon emissions through use of electric vehicles or public transportation; and that promote the capturing and storing of carbon in water, soil, forests, or other natural areas. At least fifteen percent of the clean air and clean energy investments must be used to reduce the energy burden of people with lower incomes through programs such as assistance with paying energy bills, promoting public or shared transportation, and reducing energy consumption. In addition, within four years, a minimum of \$50 million would be set aside for a program to support fossil-fuel workers who are affected by the transition away from fossil fuels. The program may include wage replacement, health benefits, pension contributions, retraining costs, and other services.

The Department of Commerce, in consultation with others, must propose rules and criteria for disbursing funds for clean air and clean energy investments. The proposed rules and criteria must be approved by the board. The measure includes certain requirements for the rules and criteria for disbursing funds and includes certain goals for reducing carbon emissions and global temperature increases.

The second spending category for the clean up pollution fund is to address the impacts of climate change on the state's waters and forests. Twenty-five percent of the fund will be spent in this category. Examples for this category include spending to restore and protect state waters, to address ocean acidification, to reduce flood risk, to reduce risk of wildfires, and to address other impacts of

climate change. Various state agencies are responsible for proposing rules and criteria for eligible programs. The rules and criteria for these programs must be approved by the board.

Finally, the third spending category for the clean up pollution fund is to prepare communities for the impacts of climate change and to help certain populations who are particularly affected by climate change. Five percent of the fund will be spent in this category. In this category, funds can be used for wildfire prevention and preparedness, relocation of communities on tribal lands affected by sea level rise and floods, and public school education about the impacts of climate change and ways to reduce pollution. A portion of this fund must be used to help communities participate in carrying out the measure, such as help in preparing proposals for projects.

In addition to the spending requirements for these three categories, the measure imposes other requirements on spending. At least thirty-five percent of spending from the clean up pollution fund must provide direct and meaningful benefits to what the measure calls “pollution and health action areas.” The Department of Health designates those areas based on University of Washington analyses of vulnerable populations and environmental burdens. A particular area partially or fully within Indian reservations or other Indian lands would also qualify as a pollution and health action area. At least ten percent of funds must be spent for projects formally supported by a resolution of an Indian tribe, and ten percent must be spent for projects located in and benefiting a pollution and health action area.

Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit www.ofm.wa.gov/ballot

FISCAL IMPACT SUMMARY

Initiative 1631 imposes a pollution fee on large emitters of greenhouse gases. The fee will raise \$2,295,785,000 during the first five fiscal years. The additional Utilities and Transportation Commission regulatory fee will raise \$9,685,072 during the first five fiscal years. A public oversight board is established to supervise revenue expenditures to reduce carbon pollution, promote clean energy and address climate impacts to the environment and communities. Twelve state agencies and two higher education institutions are estimated to expend \$27,178,592. The remaining expenditures cannot be estimated until the public board approves investment plans. Local government expenditures are estimated to be \$158,623,072.

GENERAL ASSUMPTIONS

- The effective date of the initiative is Dec. 6, 2018.
- The provisions of the initiative apply prospectively, not retroactively.

- Because the pollution fee will not be collected until Jan. 1, 2020, it is assumed that all costs for state agencies, except the Utilities and Transportation Commission (UTC), to implement the initiative before this date will be paid from the State General Fund. UTC costs are paid from the Public Service Revolving Account.
- Estimates use the state’s fiscal year of July 1 through June 30. Fiscal year 2019 is July 1, 2018, to June 30, 2019.

REVENUE

Local Revenue

The initiative will not impact local revenue.

State Revenue

The initiative would generate an estimated \$2,305,470,073 over five fiscal years from the state pollution fee and UTC regulatory fees.

State Pollution Fee

The initiative would impose a pollution fee on large emitters of fossil fuels based upon the carbon content of fossil fuels sold or used within the state, electricity generated within the state (including out-of-state sales) and electricity imported for consumption in the state. Beginning Jan. 1, 2020, the pollution fee is set at \$15 per metric ton of carbon content. The fee would increase by \$2 per metric ton each year and is also adjusted for inflation each year. The \$2 annual increases would continue until the state’s existing greenhouse gas reduction goal for 2035 is met and the state is on pace and likely to meet the 2050 greenhouse gas reduction goal. At that time, the pollution fee would be fixed, except for annual inflation adjustments. The initiative would provide exemptions from the fee for certain fossil fuels and facilities.

The initiative would allow qualifying light and power businesses or gas distribution businesses to claim credits up to 100 percent of the pollution fee for investments made through clean energy investment plans that are approved by the UTC for investor-owned utilities and by the Department of Commerce for consumer-owned utilities.

All revenues from the pollution fee are deposited into the Clean Up Pollution Fund.

STATE REVENUE ASSUMPTIONS

Revenue estimates are based on: 1) the U.S. Energy Information Agency (EIA) 2018 Annual Energy Outlook; 2) the IHS Markit June 2018 forecast of the Consumer Price Index for All Urban Consumers (CPI-U); and 3) the Washington State Department of Commerce, State Energy Office, Carbon Tax Assessment Model (CTAM) – version 3.5. The Department of Commerce periodically updates data in the CTAM. Any data updates to the CTAM made

between preparation and publication of this fiscal impact statement are not reflected in the estimates displayed here. Although the initiative specifies that the US Bureau of Labor Statistic price index for all urban wage earners and clerical workers (CPI-W) is used to calculate the inflationary increase in the carbon fee, the Department of Revenue does not have access to a forecast for CPI-W so the CPI-U is used instead.

The following assumptions are made in the CTAM for modeling purposes:

- Year one is set to calendar year 2020 to most closely correspond to the Jan. 1, 2020, effective date of the proposed pollution fee.
- The baseline reference energy forecast (option A) is specified, which corresponds to the EIA Annual Energy Outlook 2018 reference case.
- Marine fuels are exempted.
- Aircraft fuels are exempted.
- “Transition coal,” i.e., power generated from coal plants scheduled to close by 2025, is exempted.
- Power generated from Colstrip plants 1 and 2 are exempted since they are legally bound to cease operations by Dec. 31, 2025.

The following have been factored into the modeling to the extent possible:

- An exemption for aircraft fuels.
- An exemption for maritime fuels.
- An exemption for pollution emissions from coal closure facilities.
- An exemption for the fossil fuels and electricity sold to or used onsite by facilities with a primary activity that falls into an Energy Intensive Trade Exposed (EITE) sector. (Note that due to lack of available data, no attempt has been made to model the impact of this exemption for qualifying support facilities.)
- Facility-specific emissions data has been drawn from the Washington State Department of Ecology’s Greenhouse Gas Reporting Program, which requires facilities that emit at least 10,000 metric tons of CO₂ per year in Washington to report. Note that facilities that emit fewer than 10,000 metric tons of CO₂ per year in Washington are not included in the data set used for estimating the EITE exemption.
- Emissions estimates have been adjusted to the extent possible to remove biogenic fuel emissions, non-CO₂ emissions and industrial process emissions.
- Zero growth is assumed for EITE facility emissions into the future.
- The initiative defines “carbon content” to include both CO₂ emissions and other CO₂ equivalents (methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, nitrogen trifluoride) released through the combustion or oxidation of fossil fuels. The revenue

from this proposal could be approximately 1 percent higher than modeled because the CTAM does not apply a tax or fee to CO₂ equivalents.

- Five months of cash collections are reflected in fiscal year 2020 due to the Jan. 1, 2020, effective date for the pollution fee.
- No credits are granted for payment of a similar fee in other jurisdictions.
- Qualifying light and power businesses or gas distribution businesses are assumed to claim credit for 100 percent of the pollution fees for which they are liable.

State Revenue Impacts

(See Table 1 on page 15)

Pollution Fee Revenues Distribution Assumptions and Descriptions

Following deductions for administrative costs, 70 percent of the balance in the Clean Up Pollution Fund will be deposited into the Clean Air and Clean Energy Account, 25 percent will be deposited into the Clean Water and Healthy Forests Investments Account and 5 percent will be deposited into the Healthy Communities Account.

In addition, the initiative defines investor-owned utility-retained credits in the utilities’ Clean Energy Investment Account as gross operating revenue subject to UTC regulatory fees. This fee is equal to one-tenth of 1 percent of the first \$50,000 of gross operating revenue, plus two-tenths of 1 percent of any gross operating revenue in excess of \$50,000. In addition, each investor-owned utility must pay an annual fee of up to 1 percent of credited fees deposited into the Clean Energy Investment Account for UTC administrative costs to implement the initiative. It is assumed that the fee is set annually at 1 percent and excludes any amounts retained by consumer-owned utilities. These revenues would be deposited into the Public Service Revolving Account.

The initiative specifies that the Clean Up Pollution Fund may be used to pay for reasonable administrative costs. It is assumed that “administrative costs” include tax administration and other tasks necessary to implement the initiative unless a state agency has a usual fund source for the work required by the initiative.

(See Table 2 on page 15)

STATE GOVERNMENT EXPENDITURES

State Agency Implementation Cost Assumptions

Because the pollution fee will not be collected until Jan. 1, 2020, it is assumed that all costs for state agencies, except UTC, to implement the initiative before this date will be paid from the State General Fund. UTC costs are paid from the Public Service Revolving Account.

The initiative would establish a public oversight board (POB) to implement the new law. The POB adopts all programmatic policies, procedures and rules per the State Administrative Procedures Act for programs funded through the Clean Air and Clean Energy Account, the Clean Water and Healthy Forests Investments Account and the Healthy Communities Account. Utility investment plans are approved by the Department of Commerce and UTC by Dec. 31, 2020, to allow utilities to obtain pollution fee credits.

POB activity is phased as follows: 1) formation and organization; 2) programmatic rule makings and review and approval of investment plans; 3) project approvals and updates to rules, policies and procedures; 4) appropriation recommendations to the Legislature; and 5) tribal consultations throughout.

The POB would meet bimonthly in Olympia beginning March 1, 2019. From March 2019 through January 2020, the POB would hold one-day meetings; from February 2020 through January 2021, each meeting would last two days, with one-day meetings thereafter.

For each of the three Investment Advisory Panels, meeting length, location and frequency would mirror that of the POB, except that panel meetings would start in July 2019.

The Department of Health would begin work on Jan. 1, 2019, to designate pollution and health action areas and would complete this task by July 31, 2019.

To meet the requirement that state agencies submit all policies, procedures and rules related to expenditures from the Clean Air and Clean Energy Account, the Clean Water and Healthy Forests Investments Account and the Healthy Communities Account to the POB by Jan. 1, 2020, state agency work would begin on Jan. 1, 2019. State agencies would also begin work on Jan. 1, 2019, to develop the initial pollution reduction investment plans and rules that describe the processes and criteria to disburse funds from the Clean Air and Clean Energy Account, with review and approval by the POB by Jan. 1, 2020. A permanent pollution reduction investment plan and rule would be submitted to the POB by Jan. 1, 2022.

The Department of Ecology would begin work on Jan. 1, 2019, and would adopt emergency rules by Nov. 1, 2019, that specify the carbon content inherent in or associated with covered fossil fuels and electricity.

STATE AGENCY EXPENDITURES

State agency costs are estimated to be \$27,178,592 over five fiscal years to implement the initiative. Costs by agency are:

- The Department of Revenue would incur costs estimated at \$4,170,500 to administer pollution fee collection activities.

- The Office of the Governor would incur costs estimated at \$8,326,874 for the staffing, operation, per diem and compensation of the POB and three investment panels that would review and adopt through the rule-making process, as needed, plans, procedures, criteria and rules for the programs as well as conduct effectiveness reviews.
- The Department of Commerce would incur costs estimated at \$10,668,899 to draft the initial and final pollution reduction investment plans as well as the proposed rules for process and criteria to disburse funds from the Clean Air and Clean Energy Account. In consultation with the Environmental and Economic Justice Panel, the department would incur costs to develop a plan for investments that directly reduce the energy burden of people with lower incomes; design and implement comprehensive enrollment campaigns to inform and enroll people with lower incomes in energy assistance programs; create a program and provide assistance and support to workers in fossil fuel industries affected by the transition to a cleaner energy economy; and develop draft procedures and rules to provide community capacity grants to participate in implementing the initiative. The agency would participate in development of carbon emission standards, validate a facility's EITE designation and review petitions by fee payers for credits for similar pollution fees imposed by other states. It would also conduct effectiveness reviews of programs in achieving carbon reduction goals and implementing pollution reduction plans.
- The Department of Health would incur estimated costs of \$631,000 to designate and update pollution and health action areas, participate on the POB and help support the Environmental and Economic Justice Panel and other investment panels.
- The Department of Ecology would incur both estimated costs and savings. Estimated costs of \$3,325,787 would be incurred to develop procedures, criteria and rules for grant programs for increasing the ability to remediate and adapt to the impacts of ocean acidification, reducing flood risk and restoring natural floodplain ecological function, increasing the sustainable supply of water and improving storm water infrastructure from previously developed areas within an urban growth boundary. These costs would also enable Ecology to contribute to development of procedures, criteria and rules on restoring and protecting estuaries, fisheries and marine shoreline habitats, and preparing for sea level rise. The agency would also adopt emergency rules specifying the basis for the carbon content of covered fossil fuels and electricity, work in consultation with the Department of Commerce to select a default emission

factor for light and power businesses, and publish a default emissions factor for U.S. Bonneville Power Administration sales of electricity in Washington state. Ecology would also serve as a voting member of the POB, engage investment advisory panels and participate in conducting effectiveness reviews of programs in achieving carbon reduction goals and implementing pollution reduction plans. Ecology would incur estimated savings of \$10,436,000 in the State General Fund and the State Toxics Control Account from adopting rules to eliminate the program supporting the Clean Air Rule (Chapter 173-442 Washington Administrative Code) and associated greenhouse gas emissions reporting (Chapter 173-441 Washington Administrative Code), for a net estimated savings of \$7,110,213 over the five-year period.

- The Washington State Recreation and Conservation Office would incur estimated costs of \$534,272 to develop proposed procedures, criteria and rules for a grant program to prevent the conversion and fragmentation of working forests, farmland and natural habitat that sequester carbon and provide additional ecological benefits and to participate in the development of proposed procedures, criteria and rules for clean water investments that improve resilience from climate impacts. The agency would also participate as a voting member of the POB.
- The Department of Fish and Wildlife would incur estimated costs of \$423,600 to participate in development of proposed procedures, criteria and rules for clean water investments that improve resilience from climate impacts.
- The Puget Sound Partnership would incur estimated costs of \$272,772 to participate in the development of proposed procedures, criteria and rules for clean water investments that improve resilience from climate impacts, review programs and projects for consistency with the Puget Sound Action Agenda, and participate in conducting effectiveness reviews of programs in achieving carbon reduction goals and implementing pollution reduction plans.
- The Department of Natural Resources would incur estimated costs of \$2,573,400 to develop proposed procedures, criteria and rules to sequester carbon through blue carbon projects, invest in healthy forests and enhance community preparedness and awareness of wildfires. Costs would also support tribal communities to suppress, prevent and recover from wildfires, and relocate tribal communities impacted by flooding and sea level rise. The agency would also participate in development of proposed procedures, criteria and rules for clean water investments that improve resilience from climate impacts.

- The Washington State Department of Agriculture would incur estimated costs of \$485,000 to develop proposed procedures, criteria and rules for a program to increase soil sequestration and reduce emissions from the loss and disturbance of soils.
- The UTC would incur estimated costs of \$4,800,418 to review and approve private utilities' clean energy investment plans, review utilities' annual reports on implementing their clean energy investment plans, conduct necessary rule making, support the POB and the investment panels, undertake tribal consultation on clean energy investments and participate in development of an effectiveness report.
- The University of Washington would incur estimated costs of \$797,070 for its Department of Environmental and Occupational Health Sciences to assist the Department of Health in designating and updating pollution and health action areas, and for the Climate Impacts Group to provide technical assistance to the Department of Natural Resources in developing programs and allocating funds for the clean water and healthy forest investments that increase resilience from climate impacts on wildlife and forest health and for investments to prepare communities for challenges caused by climate change.
- The Washington State University Energy Program would incur estimated costs of \$525,000 to participate in drafting the initial and final pollution reduction investment plans.
- The Office of Superintendent of Public Instruction would incur estimated costs of \$80,000 for developing and implementing education programs and teacher development programs to expand awareness of and increase preparedness for the environmental, social and economic impacts of climate change and strategies to reduce pollution.

(See Table 3 on page 16)

LOCAL GOVERNMENT AND SCHOOL DISTRICT EXPENDITURES

(See Table 4 on page 16)

Cities, public utility districts, port districts and other local governments that provide electricity and natural gas services would potentially be required to pay the pollution fee. It is estimated that 43 local governments would likely be impacted by the initiative. Publicly owned utilities could either pay the pollution fee or claim a credit for state-approved clean-energy investments. It is assumed that publicly owned utilities operated by local governments would incur costs of \$158,623,072 over four years, primarily for state-approved clean-energy investments made in lieu of pollution fees for which they would be liable.

Key assumptions used to generate these estimates are:

- Pollution fee estimates are based upon the Department of Commerce's 2016 Washington State Electric Utility Fuel Mix Disclosure Report and the EIA 2016 data on natural gas utility deliveries.
- All consumer-owned utilities will withhold 100 percent of pollution-fee liability as pollution-fee credits equal to the value of clean-energy investments; however, the specific types of programmatic investments are unknown at this time. Jurisdictions choosing to participate in credit-eligible activities will incur indeterminate costs related to developing clean energy investment plans, applying for credits and reporting on funding usage.
- Neither the mix of fuels associated with electricity sources nor the demand for carbon-based fuels changes from 2016 reported levels. Local governments generally do not have the ability to modify their fuel mixes in the near term, and the impact of utility clean-energy investments on fuel mix and electricity demand are unknown at this time.

The Office of Superintendent of Public Instruction estimates that there are approximately 30 school districts that operate their own fueling distribution facilities that service their school bus fleets. To the extent these districts purchase fuel from out-of-state suppliers, they would be liable for the pollution fee. The source of fuel for these facilities is unknown, so no estimate is included of any potential costs to school districts. Similarly, the pollution fee liability incurred by local governments operating their own fuel-distribution facilities supplied with fuel imported directly from out of state is not known at this time.

Table 1 – Pollution fee revenues deposited into the Clean Up Pollution Fund

State Revenue Impact	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Clean Up Pollution Fund	\$0	\$238,374,000	\$610,047,000	\$686,365,000	\$760,999,000

Table 2 – State revenues

State Revenue Impact by Fund	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Clean Up Pollution Fund (Administration)	\$0	\$4,670,163	\$6,495,803	\$6,106,598	\$4,840,946
Clean Air and Clean Energy Account	\$0	\$163,592,686	\$422,485,838	\$476,180,881	\$529,310,638
Clean Water and Healthy Forest Account	\$0	\$58,425,959	\$150,887,799	\$170,064,601	\$189,039,514
Healthy Communities Account	\$0	\$11,685,192	\$30,177,560	\$34,012,920	\$37,807,903
Public Service Revolving Account	\$0	\$996,266	\$2,545,019	\$2,898,850	\$3,244,937
State Total	\$0	\$239,370,266	\$612,592,019	\$689,263,850	\$764,243,938

Table 3 – State Expenditures from the State General Fund, the Clean Up Pollution Fund, the Public Service Revolving Account and the State Toxics Control Account

Agency	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Governor's Office	\$174,180	\$2,109,440	\$2,031,220	\$1,930,146	\$2,081,888
Department of Revenue	\$0	\$1,764,400	\$819,700	\$810,700	\$775,700
Department of Commerce	\$2,452,979	\$2,542,708	\$1,657,286	\$2,649,444	\$1,366,482
Department of Health	\$315,000	\$46,000	\$162,000	\$62,000	\$46,000
Department of Ecology	\$(467,705)	\$(701,365)	\$(1,943,750)	\$(1,905,164)	\$(2,092,229)
Recreation and Conservation Office	\$118,846	\$261,226	\$139,846	\$7,177	\$7,177
Department of Fish and Wildlife	\$62,800	\$191,000	\$169,800	\$0	\$0
Puget Sound Partnership	\$33,419	\$33,420	\$33,104	\$93,098	\$79,731
Department of Natural Resources	\$650,700	\$1,241,100	\$648,800	\$16,400	\$16,400
Department of Agriculture	\$118,000	\$224,000	\$143,000	\$0	\$0
Utilities and Transportation Commission	\$253,294	\$843,092	\$1,111,404	\$1,479,395	\$1,113,233
University of Washington	\$208,518	\$160,161	\$142,797	\$142,797	\$142,797
Washington State University	\$75,000	\$175,000	\$125,000	\$100,000	\$50,000
Office of Superintendent of Public Instruction	\$0	\$80,000	\$0	\$0	\$0
Total	\$3,995,031	\$8,970,182	\$5,240,207	\$5,385,993	\$3,587,179

Table 4 – Total local government expenditure impact

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Publicly Owned Utilities	\$0	\$18,811,545	\$40,579,011	\$46,552,927	\$52,679,589
Local Government Total	\$0	\$18,811,545	\$40,579,011	\$46,552,927	\$52,679,589

Argument for

Building a Cleaner Healthier Future for Our Kids

We have a responsibility to future generations to pass on a healthier place to live. Initiative 1631 is a sensible step that puts a fee on large polluters like big oil companies, making them pay when they pollute our air and water and invests in affordable clean energy and healthier communities.

Holding Big Polluters Accountable to Protect our Air and Water

When big oil companies pollute they leave the rest of us to pay the price with our health and environment. Initiative 1631 will make clean energy like wind and solar more affordable for more people, reduce over 25 million tons of pollution annually, and build new clean energy projects creating 41,000 good paying jobs across the state.

Public Accountability and Transparency

All investments are overseen by a public board of experts in science, business, health, and trusted community leaders so that big oil companies and their lobbyists aren't making decisions about our future. Regular audits will ensure we're reducing pollution and expanding clean energy.

Washington vs. Big Oil

Initiative 1631 is backed by the largest initiative coalition in state history, including over 200 organizations and businesses like The Nature Conservancy, American Lung Association, Union of Concerned Scientists, REI, Children's Alliance, Sierra Club, MomsRising, Physicians for Social Responsibility, Tulalip Tribes, Washington Conservation Voters, OneAmerica, UFCW 21, and Latino Community Fund.

By voting Yes we will build clean energy, create thousands of jobs, and pass on a healthier future for our kids.

Rebuttal of argument against

Five out-of-state oil companies are funding 99.9% of the opposition campaign. They will say anything to protect their billion-dollar profits. 1631 is a sensible step to reduce pollution today and leave a better future for our kids, by making big oil companies pay for the pollution they create. It makes clean energy more affordable, creating over 41,000 good paying jobs here in Washington. Let's build our future on our terms.

Written by

Carrie Nyssen, American Lung Association, Vancouver; **Leonard Forsman**, President, Affiliated Tribes of Northwest Indians, Suquamish; **Ann Murphy**, President, League of Women Voters of Washington, Spokane; **Tony Lee**, Co-Chair, Asian Pacific Islander Coalition, Seattle; **Bonnie Frye Hemphill**, Solar Installers of Washington, Seattle; **Cenetra Pickens**, Registered Nurse, union member SEIU Healthcare 1199NW, Tacoma

Contact: (206) 535-6617; info@yeson1631.org; yeson1631.org

Argument against

I-1631's deeply flawed, unfair energy tax would force Washington families, small businesses and consumers to pay billions in higher costs for gasoline, electricity, heating and natural gas – while exempting the state's largest polluters, and providing little accountability for spending.

\$2.3 Billion Energy Tax, Increases Every Year

The state's analysis shows 1631 would cost consumers over \$2.3 billion in the first five years alone. Higher electricity and natural gas bills would add hundreds of millions more in consumer costs, and 1631's escalating taxes would automatically increase every year – with no cap.

Largest Polluters Exempt

1631 would exempt many of the state's largest polluters, including a coal-fired power plant, pulp and paper mills, aircraft manufacturers and other large corporate emitters. Six of the state's top 10 carbon emitters would be exempt from 1631, while consumers and small businesses would pay billions.

Gasoline, Energy Prices Increase Annually With No Cap

Independent estimates show 1631 would increase gasoline prices by up to fourteen cents more per gallon at first, increasing annually, and quadrupling within 15 years, with no cap. Families, small businesses and farmers would also pay higher costs for natural gas, heating fuel, electricity and transportation, costing households hundreds more per year, especially hurting those who could least afford it.

Lack of Accountability, No Guarantee

1631's unelected board would have broad authority to disperse billions with little accountability and no specific plan, no requirements to spend funds specifically to reduce greenhouse gases, and no guarantee of effectiveness. 1631 deserves a *no* vote.

Rebuttal of argument for

I-1631's deeply flawed approach to climate policy exempts Washington's largest polluters, imposes a permanently escalating tax on Washington families, and disproportionately burdens those who can least afford it. I-1631 has no clear guidelines for how its unelected board of political appointees would spend billions in taxpayer dollars, and no real accountability or likelihood of significantly reducing greenhouse gases. *Cliff Mass, Ph.D., atmospheric sciences expert, represents his own opinions – not those of the University of Washington.*

Written by

Dean Maxwell, Mayor of Anacortes 1993 – 2013; **Anne Lawrence**, Board Member, Washington Farm Bureau, Family Farmer, Vancouver; **Brian Sonntag**, Washington State Auditor 1993 – 2013; **Sabrina Jones**, Small Business Owner, Spokane; **Mark Riker**, Executive Secretary, Washington State Building Trades; **Cliff Mass**, Professor of Atmospheric Sciences, Seattle, Washington

Contact: (877) 539-4443; info@VoteNOon1631.com; VoteNOon1631.com

Initiative Measure No.

1634

Initiative Measure No. 1634 concerns taxation of certain items intended for human consumption.

This measure would prohibit new or increased local taxes, fees, or assessments on raw or processed foods or beverages (with exceptions), or ingredients thereof, unless effective by January 15, 2018, or generally applicable.

Should this measure be enacted into law?

[] Yes

[] No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

Explanatory Statement

Written by the Office of the Attorney General

The Law as it Presently Exists

All local taxation must be authorized by state law. Current state law gives broad taxing authority to counties, cities, and towns. The Washington Supreme Court has recognized that cities' and towns' taxing authority includes the authority to tax retailers for the privilege of conducting a specific type of retail business within the city. Counties and cities also have authority to impose sales and use taxes within certain limits that the Legislature has set. For example, local sales or use taxes can be imposed only when the state sales or use tax is also due on a sale or item.

Local governments like cities and counties have relied on this broad local taxing authority to impose taxes related to specific products. For example, in 2017 the City of Seattle adopted an ordinance imposing a privilege tax on the distribution of sweetened beverages like soda within the city limits. The City of Seattle's tax is calculated based on the volume of sweetened beverages or concentrate distributed in the city.

The State has imposed state sales and use taxes on the retail sale of most items, but food and food ingredients are generally exempt from these state taxes. Nevertheless, state sales and use taxes are imposed on prepared food, alcoholic beverages, bottled water, and soft drinks. There are also additional state taxes on alcoholic beverages, cigarettes, tobacco products, and marijuana products.

The Effect of the Proposed Measure if Approved

If adopted, Initiative 1634 would prevent local governments from imposing or collecting any new tax, fee, or other assessment on certain grocery items after January 15, 2018. This restriction would prohibit any new local tax, fee, or assessment of any kind on the manufacture, distribution, sale, possession, ownership, transfer, transportation, container, use, or consumption of certain groceries. Initiative 1634 would also prohibit any increase of existing local taxes, fees, or assessments on these grocery items after January 15, 2018.

Local governments covered by this initiative are counties, cities, and towns, as well as other municipal corporations and local taxing districts. Covered grocery items would include any raw or processed food or beverage, or any ingredient, intended for human consumption. This would include, for example, meat, produce, grains, dairy products, nonalcoholic beverages, spices, and condiments, among other things. Covered groceries do not include alcoholic beverages, marijuana products, or tobacco.

Initiative 1634 would not prevent the State from imposing new taxes on groceries. It would not prevent local governments from imposing or collecting a new tax, fee, or assessment that is generally applicable to a broad range of businesses and business activity, so long as it does not impose a higher tax rate on groceries or impose a higher tax rate based on

a classification related to groceries. Initiative 1634 would not prohibit a local tax, fee, or assessment on alcoholic beverages, marijuana products, or tobacco. Initiative 1634 would not restrict counties' and cities' existing authority to impose local sales and use taxes. Initiative 1634 would not restrict local governments' existing authority to impose other taxes on transactions involving non-grocery items.

Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit www.ofm.wa.gov/ballot

FISCAL IMPACT SUMMARY

Initiative 1634 prohibits new or increased local taxes, fees or assessments on raw or processed foods, beverages or their ingredients, intended for human consumption except alcoholic beverages, marijuana products and tobacco, unless they are generally applicable and meet specified requirements. The initiative allows local government to continue to collect revenue if the ordinance was in effect by Jan. 15, 2018. The revenue and expenditure impacts cannot be determined because the potential lost revenue is based on volume of product sold within the jurisdiction.

GENERAL ASSUMPTIONS

- The effective date of the initiative is Dec. 6, 2018.
- The provisions of the initiative apply to taxes, fees or other assessments on groceries applied after Jan. 15, 2018.
- Estimates use the state's fiscal year of July 1 through June 30. Fiscal year 2019 is July 1, 2018, to June 30, 2019.

REVENUE

Local revenue impacts

The initiative has an indeterminate impact on local revenue. It would prohibit imposing or collecting any new tax or fee, or making an inflationary adjustment on taxes or fees on certain grocery items after Jan. 15, 2018.

The city of Seattle enacted a sweetened beverage privilege tax prior to the effective date of the initiative. Seattle estimates the tax will generate \$23.378 million per year. Since the imposition of the tax was started before Jan. 15, 2018, the tax will remain in effect. However, the city of Seattle would not be able to adjust the tax by inflation.

State revenue impacts assumptions and description

The initiative would not have a state revenue impact because it does not apply to state taxes, fees or other assessments.

EXPENDITURES

Local government expenditures

The initiative would not have an expenditure impact on local governments because it prevents the future imposition of local taxes or fees on groceries after Jan. 15, 2018.

State government expenditures

The initiative would not have an expenditure impact on state government because it does not apply to state taxes, fees or other assessments.

Argument for

Yes on I-1634 protects working families, farmers, and local businesses.

I-1634 would ensure that our groceries – foods and beverages that we consume every day – are protected from any new or increased local tax, fee, or assessment.

Help keep groceries affordable.

The rising cost of living makes it harder for families to afford the basics. Special interest groups across the country, and here in Washington, are proposing taxes on groceries like meats, dairy and juices – basic necessities for all families. I-1634 would prevent local governments from enacting new taxes on groceries. Higher grocery prices don't hurt the wealthy elites but crush the middle class and those on fixed incomes, including the elderly.

Take a stand for fairness.

Washington has the most regressive tax system in the country and places a larger tax burden on the backs of middle and fixed-income families than the wealthy. Taxes on groceries make our current tax structure even more unfair for those struggling to make ends meet.

Bipartisan and diverse support for I-1634 from citizens, farmers, local businesses, and community organizations.

Organizations that represent Washington farmers (Washington Farm Bureau, Tree Fruit Association, State Dairy Federation), labor (Joint Council of Teamsters, International Association of Machinists, Seattle Building Trades), and business (Washington Beverage Association, Washington Food Industry Association, Washington Retail Association, Korean American Grocers Association) are united in supporting I-1634 to keep our groceries affordable.

By voting yes on I-1634, you can take a stand for affordability and fairness for Washington's working families.

Rebuttal of argument against

I-1634 prohibits new, local taxes on groceries, period. It does not prevent voters from raising taxes on anything else to meet local needs. *This is necessary to close a loophole allowing municipalities to tax groceries, even though the state does not.* That's why thousands of Washington workers, farmers, small businesses, and consumers support I-1634. It protects us from taxation of everyday foods and beverages which raises prices, costs jobs and hurts working families.

Written by

Jeff Philipps, Spokane civic leader, President of Rosauers Supermarkets; **April Clayton**, Farmer, Chelan/Douglas County Farm Bureau Vice President; **Haddia Abbas Nazer**, Yakima small businesswoman, Central Washington Hispanic Chamber President; **Carl Livingston**, Seattle community activist, lawyer, professor, and Pastor; **Heidi Piper Schultz**, Vancouver small businesswoman, Corwin Beverage Company Board President; **Larry Brown**, Auburn City Councilman, Aerospace Machinists 751 Legislative Director

Contact: (425) 214-2030; info@yestoaffordablegroceries.com; yestoaffordablegroceries.com

Argument against

Initiative 1634 takes away local control and gives it to the state

This confusing measure imposes a one-size-fits-all state law that takes power away from voters and hands it to the state, silencing our voice in local decision-making. Different communities have unique needs and local voters deserve a say in how revenue decisions are made. This initiative is a slippery slope toward greater state control at the expense of our cities, towns, and local communities.

Corporate special interests are spending millions to strip away voter choices and protect profits

I-1634 has nothing to do with keeping our food affordable. In fact, tax prohibitions on everyday food items — from fruits and vegetables to milk and bread—are already reflected in voter approved state law. Instead, this measure is funded almost exclusively by the multi-billion-dollar soda industry. They are only concerned with their profits and are spending millions on this initiative—and misleading advertisements—that would undermine local control.

Reject Initiative 1634 to prevent future erosion of local powers by special interests

I-1634 sets a dangerous precedent -- any special interest could spend millions on a misleading initiative to limit our rights as voters and our local autonomy. Voting *no* sends a clear message that we value local control and will not be fooled by the political agenda of wealthy industries or outside groups.

Rebuttal of argument for

State law already precludes taxes on groceries. Initiative 1634 is funded by the soda industry to take away local choices from our cities and towns. This confusing measure reduces local options while increasing state control at a time when we are struggling to fund important community programs. Stand with doctors, teachers and community advocates in saying no to this blatant corporate power grab.

Written by

Mary Ann Bauman, MD, American Heart Association; **Kate Burke**, Spokane City Council; **Jill Mangaliman**, Got Green; **Jim Krieger**, MD, MPH Healthy Food America; **Val Thomas-Matson**, Healthy King County Coalition; **Carolyn Conner**, Nutrition First

Contact: (360) 878-2543; vic@wahealthykidscoalition.org; www.wahealthykidscoalition.org

Initiative Measure No.

1639

Initiative Measure No. 1639 concerns firearms.

This measure would require increased background checks, training, age limitations, and waiting periods for sales or delivery of semiautomatic assault rifles; criminalize noncompliant storage upon unauthorized use; allow fees; and enact other provisions.

Should this measure be enacted into law?

☐ Yes☐ No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

Explanatory Statement

Written by the Office of the Attorney General

The Law as it Presently Exists

Washington law requires background checks for the sale or transfer of firearms, with exceptions. This background check requirement applies to sales and transfers of firearms through firearms dealers, at gun shows, online, and between unlicensed private individuals. This requirement applies to most sales of firearms, as well as gifts or loans of firearms. The background check includes checking with federal and state agencies for criminal convictions, pending criminal charges or warrants, and certain mental health records.

A sale or transfer of a firearm cannot take place if the background check shows that the buyer or recipient is legally ineligible to possess it. The sale or transfer of a firearm may be completed if the result of a background check is not received within 10 business days. That 10 day period is extended to 60 days if the buyer or recipient does not have a valid permanent Washington driver's license or state identification card, or has not lived in Washington for at least 90 days. It is a felony to deliver a firearm to any person reasonably believed to be prohibited from owning or possessing a firearm.

The delivery of a pistol may be restricted based on an outstanding warrant for a buyer's arrest or certain other charges or proceedings that might be pending against the buyer. Certain recordkeeping requirements apply to the sale of a pistol that do not apply to other types of firearms. A licensed firearm dealer must report to the state the buyer's name, address, and other information. The state maintains records of the sales of pistols. The state does not maintain records of other transfers or a registry of firearms. State law requires that an application for the purchase of a pistol contain a warning about the possibility of criminal prosecution for the illegal possession of firearms, and that state and federal laws regarding possession of firearms differ.

State law makes it illegal to possess some kinds of firearms. These include machine guns, short-barreled shotguns, and short-barreled rifles. Machine guns include firearms that do not require a separate trigger pull for each shot, and can store ammunition in a separable device such as a clip that can fire at the rate of five or more shots per second. There are exceptions to this prohibition.

State law prohibits certain people from possessing firearms. A person convicted of certain crimes or found not guilty by reason of insanity is ineligible to possess a firearm. The entry of a civil commitment order based on mental health also makes a person ineligible to possess a firearm.

The entry of restraining orders for harassing, stalking, or threatening an intimate partner or child may make a person ineligible to possess a firearm under some circumstances. Firearm rights can be restored under some circumstances.

People between the ages of 18 and 21 are generally allowed to possess a pistol only in their residence, their place of business, or property under their control. A person under age 18 is generally prohibited from possessing a firearm. State law allows a person under age 18 to possess a firearm only under limited circumstances. These exceptions include, among others: while attending a firearms safety course, while practicing or target shooting at an approved range, while competing in an organized competition, while hunting with a valid hunting license, or in certain instances with parental permission.

Residents of other states may purchase rifles and shotguns in Washington if they are eligible to possess such weapons under federal law and the laws of both Washington and the state in which they reside. Nonresidents are subject to the same background check requirements that apply to Washington residents.

State law does not currently require firearms safety training to possess a firearm. Hunter safety training may be required to obtain a hunting license. State law does not specifically regulate firearms storage.

The Effect of the Proposed Measure if Approved

This measure would change state laws regarding firearms. Some of these changes would relate only to semiautomatic assault rifles, as defined. Other changes would apply to other types of firearms as well.

The initiative defines a "semiautomatic assault rifle" to mean:

any rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

The initiative defines semiautomatic assault rifles not to include antique firearms, permanently inoperable firearms, or any firearm that is manually operated by bolt, pump, lever, or slide action.

This initiative would add new requirements for the purchase of a semiautomatic assault rifle. Buyers would be required to provide proof that they have completed a recognized firearm safety training program within the past five years. That training program must include instruction on:

- Basic firearms safety rules;
- Firearms and children, including secure gun storage and talking to children about gun safety;

- Firearms and suicide prevention;
- Secure gun storage to prevent unauthorized access and use;
- Safe handling of firearms; and
- State and federal firearms laws, including prohibited firearms transfers.

This initiative would make it illegal for a person under 21 years of age to buy a pistol or semiautomatic assault rifle. It would make it illegal for any person to sell or transfer a semiautomatic assault rifle to a person under age 21. The initiative would prohibit a person between the ages of 18 and 21 from possessing a semiautomatic assault rifle except in the person's residence, fixed place of business, on real property under his or her control, or for other specified purposes.

The initiative would require a dealer to wait at least 10 days before delivering a semiautomatic assault rifle to a buyer. It would also prohibit anyone who is not a resident of Washington from buying a semiautomatic assault rifle in Washington.

The initiative would change some laws that currently apply only to pistols and apply them to both pistols and semiautomatic assault rifles. These include restrictions on delivery when a buyer has an outstanding warrant for his or her arrest. This would also be true for situations in which certain charges or proceedings are pending. Background check and record keeping requirements that currently apply only to the purchase of pistols would also apply to the purchase of semiautomatic assault rifles. The same requirements for collecting and maintaining information on purchases of pistols would apply to purchases of semiautomatic assault rifles.

The initiative would require a new warning on application forms for the purchase of a pistol or semiautomatic assault rifle. This new warning would read:

CAUTION: The presence of a firearm in the home has been associated with an increased risk of suicide, death during domestic violence incidents, and unintentional deaths to children and others.

The initiative would allow the state to impose a fee of up to \$25 on each purchaser of a semiautomatic assault rifle. This fee would be used to offset certain costs of implementing the initiative. The fee would be adjusted for inflation.

The initiative would create new criminal offenses for the unsafe storage of a firearm if a person who cannot legally possess a firearm gets it and uses it in specified ways. These crimes would apply to a person who stores or leaves a firearm in a place where the person knows, or reasonably should know, that a prohibited person may gain access to

the firearm. Failure to securely store a firearm would only be a crime if certain other events happen. A person who fails to securely store a firearm would be guilty of a felony if a person who is legally ineligible to possess a firearm uses it to cause personal injury or death. A person who fails to securely store a firearm would be guilty of a gross misdemeanor if a person who is legally ineligible to possess a firearm discharges it, uses it in a way that shows intent to intimidate someone or that warrants alarm for the safety of others, or uses the firearm in the commission of a crime.

The initiative would not mandate how or where a firearm must be stored. But it would provide that the crimes regarding unsecure storage would sometimes not apply. Those crimes would not apply if the firearm was in secure gun storage, meaning a locked box, gun safe, or other locked storage space that is designed to prevent unauthorized use or discharge of a firearm. The crimes also would not apply if the firearm was secured with a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm. The crimes would not apply if the person who gets the firearm is ineligible to possess it because of age but the access is with parental permission and under adult supervision. The crimes would not apply in cases of self-defense. Finally, the crimes would not apply if the person who is ineligible to possess a firearm obtains it through unlawful entry, if the unauthorized access or theft is reported to law enforcement within five days of the time the victim knew or should have known that the firearm had been taken.

The initiative would require every firearm dealer to offer to sell or give the purchaser or transferee of any firearm a secure gun storage device or trigger lock. It would also require every store, shop, or sales outlet where firearms are sold to post a warning sign advising buyers that they may face criminal prosecution if they store or leave an unsecured firearm where a person prohibited from possessing the firearm can get it. A similar written warning must be delivered to firearm buyers and transferees. Violation of these requirements would be a civil infraction.

Finally, the initiative would require the development of a cost-effective and efficient process to verify that people who have acquired pistols or semiautomatic assault rifles remain eligible to possess a firearm under state and federal law. This process would provide for notice to local chiefs of police and sheriffs to take steps to ensure that persons legally ineligible to possess firearms are not illegally in possession of firearms.

Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit www.ofm.wa.gov/ballot

FISCAL IMPACT SUMMARY

Initiative 1639 changes state laws regarding firearms. It allows the state to collect a fee up to \$25 for certain rifle sales and transfers; however, the number of these rifle sales and transfers isn't available. The initiative creates new criminal offenses for unsafe storage of a firearm. The state and local costs related to these criminal offenses cannot be determined as there is no data to estimate the number of cases filed or persons convicted each year. The cost for the annual verification cannot be determined as the process has not been developed. Therefore, the fiscal impacts cannot be determined.

General Assumptions

- The effective date of the initiative is July 1, 2019, except Section 13, which takes effect Jan. 1, 2019.
- The provisions of the initiative apply prospectively, not retroactively.
- No data is available on the number of semiautomatic rifles bought or transferred each year in Washington. Federal law prohibits the tracking of gun purchases (U.S.C. Title 18, Part 1, Chapter 44, Sec. 926).
- Fiscal estimates use the state's fiscal year of July 1 through June 30. Fiscal year 2019 is July 1, 2018, to June 30, 2019.

REVENUE

State Revenue

The Department of Licensing (DOL) would be authorized to charge a fee of up to \$25 for each semiautomatic assault rifle (SAR) sale or transfer. (The initiative includes a new definition for SAR.) The fee would be adjusted for inflation. The initiative specifies the distribution of this revenue to state agencies and local law enforcement agencies for record keeping and other related costs they incur. Because data is not available to provide an estimate on the number of SARs purchased, no estimate of state revenue is available. However, the state does have data on the number of background checks conducted for concealed pistol licenses (CPLs) and sales of handguns and long guns (which would include SARs and other long guns). An average of 560,000 such background checks were conducted each year between 2013 and 2017.

Washington state law also requires mental health background checks for all CPLs and handgun sales, but not long gun sales. An average of 300,000 mental health

background checks were conducted each year between 2013 and 2017.

Subtracting the number of mental health background checks for CPLs and handguns from the number of criminal checks for CPLs, hand guns and long guns yields an average estimate of 260,000 long gun criminal checks per year. The state does not have data to determine what percentage of the total long gun checks would meet the definition of SAR under the initiative.

EXPENDITURES

State Government Expenditures

Annual verification of eligibility to possess a firearm

The initiative would allow, but would not require, DOL, Washington State Patrol and other state and local law enforcement agencies to form a temporary group to advise on how to set up an efficient, cost-effective process for annual verification of eligibility to possess a firearm. Whether such a group is formed, and what expenses it may incur, are unknown and indeterminate. However, DOL has conducted similar work group activities that cost \$15,000.

The initiative does not define the verification process, and DOL has not yet identified a likely option or set of options for annual verifications. Therefore potential costs to state and local governments are indeterminate.

Mental health background checks

The initiative would require mental health background checks for someone to purchase a SAR. Although data is not available to estimate the number of additional mental health background checks that would need to be performed, more work is likely for the Health Care Authority. One or more additional background check specialists could be hired at an annual cost of \$83,000 each.

Unsafe storage of a firearm crime

The initiative would create a new class C felony of Community Endangerment Due to Unsafe Storage of a Firearm in the First Degree. It would be punishable by 0–12 months in county jail (see local expenditure impacts). The number of potential prosecutions and convictions of this new crime is unknown.

If an aggravated exceptional sentence were imposed, a sentence exceeding 12 months would result and be served at a state prison. The average cost of a state prison bed is \$101 per day.

There would be an indeterminate fiscal impact due to additional filings or trial court proceedings to the Administrative Office of the Courts as a result of any new misdemeanor and/or felony charges.

Dealers registered with DOL would be required to post

warning signs and provide a written warning to a purchaser about secure gun storage. DOL would incur minimal costs to print and mail the warning signs to dealers.

Record keeping

The initiative would require the Department of Licensing to keep records of CPL and SAR applications and transfers. The department already tracks CPL applications and transfers. The addition of SARs to record keeping, as required by the initiative, would increase the data input workload to its firearms database. (While online submission is available, DOL receives 60 percent of applications by mail, in paper form, from dealers and private gun sales.) The department would also incur costs to update forms and upgrade computer systems to add SAR records to its firearms database. DOL would experience rule-making, information services and administrative costs to implement this initiative. One-time costs would be at least \$1.1 million and \$500,000 annually thereafter. Additional staffing costs could be incurred, depending on the number of SAR records the agency processes.

Local Government Expenditures

Annual verification of eligibility to possess a firearm

If a person is found ineligible to possess a pistol or SAR, the Department of Licensing is required to notify a chief of police or sheriff, who then takes steps to ensure that the person does not illegally possess one. Associated costs are indeterminate.

Unsafe storage of a firearm crime

The initiative would create a new class C felony (Community Endangerment Due to Unsafe Storage of a Firearm in the First Degree). As an unranked Class C felony offense, it is punishable by a standard range term of confinement of 0–12 months in jail.

It also would create a new gross misdemeanor (Community Endangerment Due to Unsafe Storage of a Firearm in the Second Degree). As a gross misdemeanor offense, it is punishable by a standard range term of confinement of 0–364 days in jail.

Average costs to prosecute and defend a comparable felony are \$2,260 and, for a comparable misdemeanor, approximately \$1,700.

Sentences of less than one year in length are typically served in county jails. The average cost of a county jail bed is \$106 per day.

According to local governments, it is unknown how many people may be charged, tried or convicted. Costs are indeterminate for city and county law enforcement agencies, prosecutors, indigent defense attorneys and county jails.

**view ballot
status**

myvote.wa.gov

MyVote

Argument for

Yes on I-1639: For Safer Schools and Communities

Five of the last six school shooters used an assault weapon; 80% of school shooters obtained guns from their own home or that of a relative or friend. Over 187,000 students have experienced school gun violence since 1999. Deadly shootings, including Parkland, Las Vegas, Orlando, and even Mukilteo, involved assault weapons. Enough is enough. We need to get serious about keeping firearms, especially assault weapons, out of the wrong hands.

Assault Weapons are Made to Kill

Assault weapons are not designed for hunting or protecting families from danger; they are military-grade weapons designed to kill large numbers of people. These weapons belong in the hands of trained experts, not people who might harm others.

Commonsense Reforms

In the U.S. military, soldiers are not allowed to handle firearms without training. Yet, anyone in Washington can buy military-grade weapons without training or additional screening. This measure prevents anyone under the age of 21 from purchasing a semi-automatic assault rifle. It requires additional background checks and mandatory training so people who buy these weapons use them safely. I-1639 requires securing these and other deadly weapons, reducing how easily kids and prohibited users can access them.

We Must Act to Reduce Gun Violence

No law will stop every person intent on committing violence, but we must do something. Reducing access to assault weapons and ensuring those who do own assault weapons have safety training is a commonsense reform we urgently need.

Rebuttal of argument against

The gun lobby has a long track record of trying to convince Washingtonians there's nothing we can do to stop the plague of gun violence. They are wrong. This common sense measure requires the same standards for purchasing semi-automatic assault rifles that are already required for handguns. It will not affect law-abiding, responsible gun owners, rather, it will establish common sense safeguards to help prevent dangerous, unlawful access to firearms.

Written by

Paul Kramer, Survivor, Mukilteo shooting; **Ola Jackson**, Student, Rainier Beach High School; **Chris Reykdal**, Washington Superintendent of Public Instruction; **Regina Malveaux**, Member, Washington State Women's Commission, CEO YWCA Spokane; **Mitzi Johanknecht**, King County Sheriff; **Matt Vadnal**, Mill Creek resident, Colonel United States Army Reserve

Contact: (206) 718-3529; info@yeson1639.org; yeson1639.org

Argument against

I-1639 Removes Rights from Law-Abiding Adults

Washington's law-abiding adults aged 18-20 are responsible enough to vote, purchase a home, and serve in our military. Yet I-1639's proponents want you to believe these same adults cannot be trusted to defend themselves or their families and are attempting to use the crimes of a few as a justification to curtail the rights of hundreds of thousands of Washingtonians.

I-1639 Makes Firearms Unavailable for Self-Defense

I-1639 would require gun owners to lock up their firearms or face criminal charges. This strict mandate renders firearms useless in self-defense situations by requiring them to be locked up. The United States Supreme Court invalidated a similar law as a violation of the Second Amendment, but I-1639's proponents are nonetheless seeking to create this unconstitutional requirement in Washington.

I-1639's Misguided Approach Will Not Impact Crime

Handguns- not rifles- are used in the majority of crimes committed with a firearm in Washington. Targeting rifle ownership will only restrict law-abiding adults from accessing them for self-defense, home protection, and hunting.

I-1639 is Another Extreme Seattle Agenda that Fails to Improve Safety

I-1639 is bankrolled by a handful of Seattle billionaires that are more concerned with pushing failed California-style gun control than finding real solutions to make our schools and communities safe. This 33-page initiative requires firearm registration, waiting periods, mandatory government training, firearm storage requirements, purchase tax, and more- none of which will stop criminals or protect our Washington schools.

Rebuttal of argument for

I-1639 is not about "assault weapons". I-1639 targets *all* semi-automatic rifles, *including hunting rifles and target shooting rifles*. These are not fully automatic military grade weapons- these are commonly owned rifles used for self-defense, home protection and hunting. I-1639 places Washingtonians at risk by restricting access to firearms for lawful self-defense, while doing *nothing* to increase security in schools or target violent criminals. Don't let I-1639 leave Washingtonians defenseless. Vote No.

Written by

Brad Klippert, Deputy Sheriff, State Representative, Public Safety Committee; **Jane Milhans**, Home Invasion Survivor, Women's Self-Defense Trainer; **Keely Hopkins**, State Director, National Rifle Association; **Alan Gottlieb**, Founder, Second Amendment Foundation; **Robin Ball**, "Refuse to Be a Victim" Instructor, Spokane Region; **Brian Blake**, State Representative, Democrat, 19th Legislative District

Contact: www.VoteNo1639.org

Initiative Measure No.

940

Initiative Measure No. 940 concerns law enforcement.

This measure would require law enforcement to receive violence de-escalation, mental-health, and first-aid training, and provide first-aid; and change standards for use of deadly force, adding a "good faith" standard and independent investigation.

Should this measure be enacted into law?

☐ Yes

☐ No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

Explanatory Statement

Written by the Office of the Attorney General

The Law as it Presently Exists

State law sets forth when peace officers may use deadly force in carrying out their duties. Peace officers include active police officers, Washington State Patrol officers, and Department of Fish and Wildlife officers with enforcement powers. Under existing law, a peace officer is not criminally liable for using deadly force if the officer acts without malice and with a good faith belief that deadly force is justifiable. The law recognizes certain circumstances where deadly force could be justifiable. For example, it might be justifiable if the force is necessary to overcome resistance. In addition, it might be justifiable if the peace officer believes deadly force is necessary to arrest a suspect who the officer reasonably believes has committed a felony; to prevent escape or recapture an escapee from prison or jail; or to suppress a riot involving a deadly weapon. In the situation where a peace officer uses deadly force to arrest a suspect who may have committed a felony, the officer must have probable cause to believe the suspect poses a threat of serious physical harm if not arrested. Evidence that the suspect poses such a threat could include that the suspect has threatened an officer with a weapon, or that there is probable cause to believe the suspect has committed a crime involving threatened or actual serious physical harm. In such cases, deadly force may also be used if necessary to prevent the suspect's escape after a warning has been issued, if possible.

State law also provides for establishment of a Criminal Justice Training Commission (the Commission) to provide programs and set standards for training law enforcement personnel. Every new full-time law enforcement officer must take eight hours of crisis intervention training during their six months at the basic training academy, but there is no requirement that the Commission provide or that officers take any training specifically dealing with violence de-escalation. And while the Commission must develop and make mental health trainings available to law enforcement officers, state law does not require that officers take these trainings.

Existing state law does not contain any provision regarding a law enforcement officer's duty to render or facilitate first aid.

The Effect of the Proposed Measure if Approved

This measure addresses three aspects of law enforcement. First, it addresses when law enforcement officers may use deadly force. Second, it requires de-escalation and mental health training for officers. Third, it requires officers to provide first aid in certain circumstances.

In general, the new measure applies to "law enforcement officers," which includes "law enforcement personnel" and "peace officers." So, like existing law, it applies to active police officers, Washington State Patrol officers, and Department of Fish and Wildlife officers with enforcement powers. But it also applies to reserve officers and volunteers, or any other public employees whose primary function is enforcement of criminal laws.

The measure would change the standard for when a law enforcement officer may justifiably use deadly force. It would adopt a "good faith" standard that permits a law enforcement officer to use deadly force only if: (1) a reasonable law enforcement officer, in light of all the facts and circumstances known to the officer at the time, would have believed that deadly force was necessary to prevent death or serious physical harm to the officer or another person; and (2) the particular officer intended to use deadly force for a lawful purpose and sincerely and in good faith believed that the use of deadly force was warranted under the circumstances. In other words, to determine if the officer acted in "good faith," the new law would examine not only what a particular officer's intentions were, but also what a reasonable officer would have done under the circumstances. The "good faith" test would apply in the specific situations listed under existing law as justifiable uses of deadly force (such as to prevent escape from a prison), but also would determine whether an officer's use of deadly force is justifiable in any other potential situation that might arise. An officer who uses deadly force would not be criminally liable only if he or she meets the good faith test.

To help determine whether the good faith test is met, the measure would require an independent investigation any time an officer's use of deadly force results in death or substantial or great bodily harm. The investigation would be done by someone other than the agency whose officer was involved in the use of deadly force. If deadly force is used on a tribal member, the investigation must include consultation with the member's tribe and any appropriate information sharing.

The second change is that beginning in 2019, the measure would require all law enforcement officers in the state to take violence de-escalation and mental health trainings developed by the Criminal Justice Training Commission. All existing law enforcement officers would be required to take both trainings by a date to be set by the Commission, and all new officers would need to take both trainings within fifteen months of starting employment. The initial violence de-escalation training must educate officers on the good faith standard for use of deadly force. In addition to the initial trainings, all law enforcement officers would be required to periodically take continuing violence de-escalation and mental health trainings to practice their

skills, update their knowledge and training, and learn about new legal requirements.

The Commission would be required to consult with law enforcement agencies and community stakeholders to come up with a curriculum for the violence de-escalation and mental health trainings, and to set specific training requirements—for example, how many hours the trainings will be and how officers will receive the trainings. In addition, the Commission would set a requirement that officers take the trainings to maintain their certification. The Commission would be required to consider a number of specific subjects to include in the curriculum, including: patrol tactics to avoid escalating situations that lead to violence; alternatives to jail booking, arrests, or citations; implicit and explicit bias, cultural competency, and the historical intersection of race and policing; de-escalation techniques for dealing with people with disabilities and/or behavioral health issues; “shoot/don’t shoot” scenario training; alternatives to the use of physical or deadly force so that such force is only used as a last resort; mental health and policing; and using public service, including rendering first aid, to provide more opportunities for positive interactions with the community. For the mental health trainings, the Commission would be allowed to use the existing curriculum it currently offers on mental health and crisis intervention.

The third change is that the measure would require law enforcement personnel to provide first-aid to save lives, and require the Commission to consult with law enforcement agencies to adopt guidelines for implementing this duty. The guidelines must establish first aid training requirements; assist agencies and law enforcement officers in balancing competing public health and safety duties; and establish that law enforcement officers have a paramount duty to preserve the life of persons they come into contact with, including providing or facilitating first aid as early as possible.

The Commission may adopt any rules required to carry out the objectives of the measure, and if it does adopt rules it must seek input from the Attorney General, law enforcement agencies, tribes, and community stakeholders.

Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit www.ofm.wa.gov/ballot

FISCAL IMPACT

Initiative 940 requires all law enforcement officers in the state to receive violence de-escalation and mental health training, as developed by the Criminal Justice Training Commission. There will be costs for the state to develop the training and costs for state and local government certified peace officers to take the training. The fiscal impacts cannot be determined because the training has not been developed at this time.

GENERAL ASSUMPTIONS

- The effective date of the initiative is Dec. 6, 2018.
- The provisions of the initiative apply prospectively, not retroactively.
- Estimates use the state’s fiscal year of July 1 through June 30. Fiscal year 2019 is July 1, 2018, to June 30, 2019.

REVENUE

State revenue impacts

This initiative will have an indeterminate state revenue impact. While the entity providing the training may charge a reasonable fee, the initiative does not specify whether local governments or the state should pay for the training. Although the Criminal Justice Training Commission may charge a fee if it provides the training, the fee has not been determined.

Local revenue impacts

Local governments may charge a fee for providing the training, which cannot be estimated at this time.

EXPENDITURES

State government expenditures

The initiative would have an indeterminate state expenditure impact. The Criminal Justice Training Commission would consult with law enforcement agencies and community stakeholders to adopt rules for carrying out the initiative’s training requirements. The Commission estimates each law enforcement officer would require at least 40 hours of additional training to meet the requirements. The stakeholder advisory group may recommend more hours of training, but for the purposes of this analysis, 40 hours of initial training and two hours of refresher training each year thereafter are assumed. According to the Washington Association of Sheriffs and Police Chiefs’ publication 2017 Full Time Law Enforcement Employees Data, the Commission may have to train more than 10,000 law enforcement officers. This number includes state and local certified peace officers, but excludes tribal police officers.

The initiative allows the Commission, private parties or law enforcement agencies to provide training. The cost of the training is indeterminate because it is unknown who would provide the training; however, the expenditure impacts above assume the Commission would provide the initial training and refresher training spread out over multiple years to all current certified peace officers.

To meet training requirements, the Commission would need to hire a curriculum developer for the initial training and the refresher training. It would also require a program manager, administrative support staff, special skills instructors, firearm simulators, facility costs and other equipment. Ongoing annual costs for the initial training and the two-hour refresher training would be the same as the first year, but would include online training. The Commission assumes providing initial training to more than 1,300 officers a year. The Commission estimates the first-year costs at \$1.26 million and ongoing annual costs at \$900,000.

Costs for taking training

The initiative would have an indeterminate state expenditure impact for those agencies with state certified peace officers taking the training. However, if the Commission were to require an additional 40 hours of training for each state certified peace officer, the expenditure amount could be \$2 million. Annual impacts for the two-hour refresher training could impact state agencies that employ commissioned certified peace officers, up to \$107,000. The expenditure impacts are based on the following assumptions:

- The costs above reflect the backfill or pay overtime to officers who attend training; they don't account for the actual cost of training.
- The state employed 1,585 certified peace officers in 2017.
- The average hourly salary for certified peace officers is \$33.61.
- The subsequent fiscal year assumptions don't include training costs for new hires because it is unknown how many state certified peace officers will be hired by the affected state agencies and when they may start training.

All certified peace officers, as required in the Washington Administrative Code 139-05-300, must receive continuing education and training that includes crisis intervention training. The current training may partially meet the Commission's requirements, which could reduce the expenditure impacts to local governments. If the Commission requires an extra 40 hours of training, annual costs for state and local law enforcement could be \$900,000 a fiscal year, as reflected in the state expenditure impact for the Commission.

Local government expenditures

The initiative would have an indeterminate local expenditure impact. If, for example, the Commission were to require an additional 40 hours of training for each certified peace officer, the cost for training could have an expenditure impact of more than \$12 million. Refresher training, as required by the Commission, may take two hours and could cost local governments \$605,000 per year. This expenditure impact assumes all certified peace officers would be trained in one year. Depending on who conducts the training and how long it takes to complete the training, the \$12 million could be spread over multiple years.

The local government expenditure impact is also based on the following:

- The cost assumptions above reflect the backfill or overtime pay to officers who attend training; they don't account for the cost of training.
- Local police departments employed more than 9,000 certified peace officers in 2017.
- The average hourly salary for certified peace officers is \$33.61.
- The subsequent fiscal year assumptions don't include training costs for any new hires because it is unknown how many peace officers would be hired by local law enforcement agencies and when they may start training.

All certified peace officers, as required in the Washington Administrative Code 139-05-300, must receive continuing education and training that includes crisis intervention training. The current training may partially meet the Commission's requirements, which could reduce the expenditure impacts to local governments. If the Commission conducts the estimated 40 hours of initial and the two-hour refresher training, the annual costs for training could be \$900,000 a fiscal year. These costs are already reflected in the Commission's expenditure impact above.

Argument for

Washington ranks fifth in the nation in number of deaths from police use of force. The loss of life is devastating for families and officers. Our state law makes it virtually impossible to prosecute an officer. I-940 creates a fair process to determine if an officer acted reasonably, uses a good faith standard in place in twenty-seven states, and requires independent investigations so police do not investigate themselves, which will build trust.

I-940 will save lives.

940 mandates de-escalation and mental health training and requires first aid at the scene. This is common sense. The focus on prevention will help save lives.

I-940 protects people experiencing mental health crises.

Up to a third of those killed by police in Washington State have signs of mental illness. I-940 improves mental health training so officers can handle difficult situations and keep people with mental illness safe.

I-940 acknowledges the tensions driven by racial and economic differences.

People with disabilities, people of color, youth, Native Americans, LGBTQ+, and people in poverty are sometimes misunderstood in a crisis. I-940 provides modern training to help officers communicate with people from all walks of life, to better understand the people they serve, making everyone safer.

I-940 is supported by both community organizations and law enforcement leaders.

The training in I-940 is effective in police departments across the country, and is why local law enforcement leaders as well as OneAmerica, Children's Alliance, Equal Rights Washington, Moms Rising, ACLU, and the League of Women Voters support I-940.

Rebuttal of argument against

Since 1986, state law has shielded officers who unnecessarily kill people by requiring proof of "malice," or evil intent, a subjective standard virtually impossible to prove. Washington is the only state with this standard. Since 2005, police have killed over 300 Washingtonians, up to a third showing signs of mental illness. Only one officer was charged, and acquitted. Washington's families deserve an objective standard, independent investigations, and better training—improvements that will increase community safety.

Written by

Lisa Earl, mother of Jackie Salyers, Puyallup Tribe member; **Katrina Johnson**, cousin of Charleena Lyles; **Mitzi Johanknecht**, King County Sheriff; **Larry Sanchez**, Retired Grant County Deputy Sheriff; **Lauren Simonds**, Washington National Alliance on Mental Illness; **Mark Stroh**, Executive Director Disability Rights Washington

Contact: (360) 453-7898; info@de-escalatewa.org;
<https://www.deescalatewa.org/>

Argument against

Public Safety Opposes I-940

Vote *no*

I-940 is a complex proposal that will create confusion and could compromise public safety.

Washington's first responders fundamentally believe that portions of I-940 are bad public policy, costly to implement, fail to provide funding or resources to improve training, will erode public safety, and will not reduce violent interactions between members of the public and law enforcement. I-940 pits the public against law enforcement. I-940 divides rather than unites.

Washington's peace officers are well trained and sensitive to the needs of the community. During the 2018 Legislative session an historic collaboration between the authors and supporters of I-940 and law enforcement resulted in a comprehensive effort to review and reform some areas addressed in the initiative. A continuation of that effort needs to occur.

Initiative 940, as written, would force police officers to hesitate in performing their responsibilities putting the public and officers' lives at risk. Please vote no on I-940 now and allow the 2019 Legislature to pass the comprehensive changes that address every component of the necessary reforms. These reforms must include adequate financial funding, community input, and legislative review to insure all concerns are fully addressed. I-940 falls far short in achieving these goals.

Please join *all* law enforcement in voting "*no*" on I-940.

Rebuttal of argument for

Law enforcement is unified in its belief that I-940 is bad public policy that will be costly to implement, will fail to provide funding or resources to improve training, will erode public safety, and will not reduce violent interactions between the public and law enforcement. I-940 divides more than it unites. For these reasons, law enforcement stands in opposition to I-940. We ask you to join us and *vote no*.

Written by

Mike Solan, Council of Metropolitan Police and Sheriffs; **Teresa Taylor**, Washington Council of Police & Sheriffs; **James Schrimpsheer**, Washington Fraternal Order of Police;; **Jeff Merrill**, Washington State Patrol Troopers Association; **Mike Padden**, State Senator (R), Spokane Valley

Contact: 206-247-8889;
<http://coalitionforasafewashington.com/>

ADVISORY VOTES

What's an advisory vote?

Advisory votes are non-binding. The results will **not** change the law.

Repeal or maintain?

You are advising the Legislature to repeal or maintain a tax increase.

Repeal - you *don't favor* the tax increase.

Maintain - you *favor* the tax increase.

Want more info?

Contact your legislator. Their contact information is on the following pages.

View the complete text of the bill at **www.vote.wa.gov/completetext**.

View additional cost information at **www.ofm.wa.gov/ballot**.



Advisory votes are the result of Initiative 960, approved by voters in 2007.

Advisory Vote No.

19

Engrossed Second Substitute Senate Bill 6269

The legislature expanded, without a vote of the people, the oil spill response and administration taxes to crude oil or petroleum products received by pipeline, costing \$13,000,000 over ten years for government spending.

This tax increase should be:

- [] Repealed
[] Maintained

Ten-Year Projection

Provided by the Office of Financial Management
For more information visit www.ofm.wa.gov/ballot

Engrossed Second Substitute Senate Bill 6269 (E2SSB 6269)			
Fiscal Year	Oil Spill Administration Tax	Oil Spill Response Tax	Total
2018	\$ 224,000	\$ 56,000	\$ 280,000
2019	1,344,000	28,000	\$ 1,372,000
2020	1,344,000		\$ 1,344,000
2021	1,344,000		\$ 1,344,000
2022	1,344,000	308,000	\$ 1,652,000
2023	1,344,000	336,000	\$ 1,680,000
2024	1,344,000	28,000	\$ 1,372,000
2025	1,344,000		\$ 1,344,000
2026	1,344,000		\$ 1,344,000
2027	1,344,000	308,000	\$ 1,652,000
Total:	\$ 12,320,000	\$ 1,064,000	\$ 13,384,000

Final Votes Cast by the Legislature

Senate: Yeas, 42; Nays, 7; Absent, 0; Excused, 0

House: Yeas, 62; Nays, 35; Absent, 0; Excused, 1

Final Votes Cast by Each Legislator

District 1

Sen. Guy Palumbo

(D, Snohomish), (360) 786-7600
guy.palumbo@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Derek Stanford

(D, Bothell), (360) 786-7928
derek.stanford@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Shelley Kloba

(D, Kirkland), (360) 786-7900
shelley.kloba@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 2

Sen. Randi Becker

(R, Eatonville), (360) 786-7602
randi.becker@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Andrew Barkis

(R, Olympia), (360) 786-7824
andrew.barkis@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. J.T. Wilcox

(R, Yelm), (360) 786-7912
jt.wilcox@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 3

Sen. Andy Billig

(D, Spokane), (360) 786-7604
andy.billig@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Marcus Riccelli

(D, Spokane), (360) 786-7888
marcus.riccelli@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Timm Ormsby

(D, Spokane), (360) 786-7946
timm.ormsby@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 4

Sen. Mike Padden

(R, Spokane Valley), (360) 786-7606
mike.padden@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Matt Shea

(R, Spokane Valley), (360) 786-7984
matt.shea@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Bob McCaslin

(R, Spokane Valley), (360) 786-7820
bob.mccaslin@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 5

Sen. Mark Mullet

(D, Issaquah), (360) 786-7608
mark.mullet@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Jay Rodne

(R, Snoqualmie), (360) 786-7852
jay.rodne@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Paul Graves

(R, Fall City), (360) 786-7876
paul.graves@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 6

Sen. Michael Baumgartner

(R, Spokane), (360) 786-7610
michael.baumgartner@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mike Volz

(R, Spokane), (360) 786-7922
mike.volz@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Jeff Holy

(R, Cheney), (360) 786-7962
jeff.holy@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 7

Sen. Shelly Short

(R, Addy), (360) 786-7612
shelly.short@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Jacquelin Maycumber

(R, Republic), (360) 786-7908
jacquelin.maycumber@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Joel Kretz

(R, Wauconda), (360) 786-7988
joel.kretz@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 8

Sen. Sharon Brown

(R, Kennewick), (360) 786-7614
sharon.brown@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Brad Klippert

(R, Kennewick), (360) 786-7882
brad.klippert@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Larry Haler

(R, Richland), (360) 786-7986
larry.haler@leg.wa.gov
E2SSB 6269 (AV19): Nay



Initiative 960, approved by voters in 2007, requires a list of every Legislator, their party preference, hometown, contact information, and how they voted on each bill resulting in an Advisory Vote.

District 9

Sen. Mark Schoesler

(R, Ritzville), (360) 786-7620
mark.schoesler@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Mary Dye

(R, Pomeroy), (360) 786-7942
mary.dye@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Joe Schmick

(R, Colfax), (360) 786-7844
joe.schmick@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 10

Sen. Barbara Bailey

(R, Oak Harbor), (360) 786-7618
barbara.bailey@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Norma Smith

(R, Clinton), (360) 786-7884
norma.smith@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Dave Hayes

(R, Camano Island), (360) 786-7914
dave.hayes@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 11

Sen. Bob Hasegawa

(D, Seattle), (360) 786-7616
bob.hasegawa@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Zack Hudgins

(D, Tukwila), (360) 786-7956
zack.hudgins@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Steve Bergquist

(D, Renton), (360) 786-7862
steve.bergquist@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 12

Sen. Brad Hawkins

(R, East Wenatchee), (360) 786-7622
brad.hawkins@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Cary Condotta

(R, Wenatchee), (360) 786-7954
cary.condotta@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Mike Steele

(R, Chelan), (360) 786-7832
mike.steele@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 13

Sen. Judy Warnick

(R, Moses Lake), (360) 786-7624
judy.warnick@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Tom Dent

(R, Moses Lake), (360) 786-7932
tom.dent@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Matt Manweller

(R, Ellensburg), (360) 786-7808
matt.manweller@leg.wa.gov
E2SSB 6269 (AV19): Excused

District 14

Sen. Curtis King

(R, Yakima), (360) 786-7626
curtis.king@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Norm Johnson

(R, Yakima), (360) 786-7810
norm.johnson@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Gina Mosbrucker

(R, Goldendale), (360) 786-7856
gina.mosbrucker@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 15

Sen. Jim Honeyford

(R, Sunnyside), (360) 786-7684
jim.honeyford@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Bruce Chandler

(R, Granger), (360) 786-7960
bruce.chandler@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. David Taylor

(R, Moxee), (360) 786-7874
david.taylor@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 16

Sen. Maureen Walsh

(R, College Place), (360) 786-7630
maureen.walsh@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Bill Jenkin

(R, Prosser), (360) 786-7836
bill.jenkin@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Terry Nealey

(R, Dayton), (360) 786-7828
terry.nealey@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 17

Sen. Lynda Wilson

(R, Vancouver), (360) 786-7632
lynda.wilson@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Vicki Kraft

(R, Vancouver), (360) 786-7994
vicki.kraft@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Paul Harris

(R, Vancouver), (360) 786-7976
paul.harris@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 18

Sen. Ann Rivers

(R, La Center), (360) 786-7634
ann.rivers@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Brandon Vick

(R, Vancouver), (360) 786-7850
brandon.vick@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Liz Pike

(R, Camas), (360) 786-7812
liz.pike@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 19

Sen. Dean Takko

(D, Longview), (360) 786-7636
dean.takko@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Jim Walsh

(R, Aberdeen), (360) 786-7806
jim.walsh@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Brian Blake

(D, Aberdeen), (360) 786-7870
brian.blake@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 20

Sen. John Braun

(R, Centralia), (360) 786-7638
john.braun@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Richard DeBolt

(R, Chehalis), (360) 786-7896
richard.debolt@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Ed Orcutt

(R, Kalama), (360) 786-7990
ed.orcutt@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 21

Sen. Marko Liias

(D, Everett), (360) 786-7640
marko.liias@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Strom Peterson

(D, Edmonds), (360) 786-7950
strom.peterson@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Lillian Ortiz-Self

(D, Mukilteo), (360) 786-7972
lillian.ortiz-self@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 22

Sen. Sam Hunt

(D, Olympia), (360) 786-7642
sam.hunt@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Laurie Dolan

(D, Olympia), (360) 786-7940
laurie.dolan@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Beth Doglio

(D, Olympia), (360) 786-7992
beth.doglio@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 23

Sen. Christine Rolfes

(D, Bainbridge Island), (360) 786-7644
christine.rolfes@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Sherry Appleton

(D, Poulsbo), (360) 786-7934
sherry.appleton@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Drew Hansen

(D, Bainbridge Island), (360) 786-7842
drew.hansen@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 24

Sen. Kevin Van De Wege

(D, Sequim), (360) 786-7646
kevin.vandewege@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mike Chapman

(D, Port Angeles), (360) 786-7916
mike.chapman@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Steve Tharinger

(D, Sequim), (360) 786-7904
steve.tharinger@leg.wa.gov
E2SSB 6269 (AV19): Yea



Don't know which legislative district you live in?

Call the legislative hotline at (800) 562-6000 or visit www.leg.wa.gov.

District 25

Sen. Hans Zeiger

(R, Puyallup), (360) 786-7648
hans.zeiger@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Melanie Stambaugh

(R, Puyallup), (360) 786-7948
melanie.stambaugh@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Joyce McDonald

(R, Puyallup), (360) 786-7968
joyce.mcdonald@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 26

Sen. Jan Angel

(R, Port Orchard), (360) 786-7650
jan.angel@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Jesse Young

(R, Gig Harbor), (360) 786-7964
jesse.young@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Michelle Caldier

(R, Port Orchard), (360) 786-7802
michelle.caldier@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 27

Sen. Jeannie Darneille

(D, Tacoma), (360) 786-7652
jeannie.darneille@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Laurie Jenkins

(D, Tacoma), (360) 786-7930
laurie.jenkins@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Jake Fey

(D, Tacoma), (360) 786-7974
jake.fey@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 28

Sen. Steve O'Ban

(R, Tacoma), (360) 786-7654
steve.oban@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Dick Muri

(R, Steilacoom), (360) 786-7890
dick.muri@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Christine Kilduff

(D, University Place), (360) 786-7958
christine.kilduff@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 29

Sen. Steve Conway

(D, Tacoma), (360) 786-7656
steve.conway@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. David Sawyer

(D, Tacoma), (360) 786-7906
david.sawyer@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Steve Kirby

(D, Tacoma), (360) 786-7996
steve.kirby@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 30

Sen. Mark Miloscia

(R, Federal Way), (360) 786-7658
mark.miloscia@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mike Pellicciotti

(D, Federal Way), (360) 786-7898
mike.pellicciotti@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Kristine Reeves

(D, Federal Way), (360) 786-7830
kristine.reeves@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 31

Sen. Phil Fortunato

(R, Kent), (360) 786-7660
phil.fortunato@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Drew Stokesbary

(R, Auburn), (360) 786-7846
drew.stokesbary@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Morgan Irwin

(R, Enumclaw), (360) 786-7866
morgan.irwin@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 32

Sen. Maralyn Chase

(D, Edmonds), (360) 786-7662
maralyn.chase@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Cindy Ryu

(D, Shoreline), (360) 786-7880
cindy.ryu@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Ruth Kagi

(D, Seattle), (360) 786-7910
ruth.kagi@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 33

Sen. Karen Keiser

(D, Des Moines), (360) 786-7664
karen.keiser@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Tina Orwall

(D, Des Moines), (360) 786-7834
tina.orwall@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mia Gregerson

(D, SeaTac), (360) 786-7868
mia.gregerson@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 34

Sen. Sharon Nelson

(D, Vashon), (360) 786-7667
sharon.nelson@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Eileen Cody

(D, West Seattle), (360) 786-7978
eileen.cody@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Joe Fitzgibbon

(D, West Seattle), (360) 786-7952
joe.fitzgibbon@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 35

Sen. Tim Sheldon

(D, Shelton), (360) 786-7668
timothy.sheldon@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Dan Griffey

(R, Allyn), (360) 786-7966
dan.griffey@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Drew MacEwen

(R, Union), (360) 786-7902
drew.macewen@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 36

Sen. Reuven Carlyle

(D, Seattle), (360) 786-7670
reuven.carlyle@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Noel Frame

(D, Seattle), (360) 786-7814
noel.frame@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Gael Tarleton

(D, Ballard), (360) 786-7860
gael.tarleton@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 37

Sen. Rebecca Saldaña

(D, Seattle), (360) 786-7688
rebecca.saldana@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Sharon Tomiko Santos

(D, Seattle), (360) 786-7944
sharontomiko.santos@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Eric Pettigrew

(D, Seattle), (360) 786-7838
eric.pettigrew@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 38

Sen. John McCoy

(D, Tulalip), (360) 786-7674
john.mccoy@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. June Robinson

(D, Everett), (360) 786-7864
june.robinson@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mike Sells

(D, Everett), (360) 786-7840
mike.sells@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 39

Sen. Keith Wagoner

(R, Sedro-Woolley), (360) 786-7676
keith.wagoner@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Dan Kristiansen

(R, Snohomish), (360) 786-7967
dan.kristiansen@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Carolyn Eslick

(R, Sultan), (360) 786-7816
carolyn.eslick@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 40

Sen. Kevin Ranker

(D, Deer Harbor), (360) 786-7678
kevin.ranker@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Kristine Lytton

(D, Anacortes), (360) 786-7800
kristine.lytton@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Jeff Morris

(D, Mount Vernon), (360) 786-7970
jeff.morris@leg.wa.gov
E2SSB 6269 (AV19): Yea



Initiative 960, approved by voters in 2007, requires a list of every Legislator, their party preference, hometown, contact information, and how they voted on each bill resulting in an Advisory Vote.

District 41

Sen. Lisa Wellman

(D, Mercer Island), (360) 786-7641
lisa.wellman@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Tana Senn

(D, Mercer Island), (360) 786-7894
tana.senn@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Judy Clibborn

(D, Mercer Island), (360) 786-7926
judy.clibborn@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 42

Sen. Doug Ericksen

(R, Ferndale), (360) 786-7682
doug.ericksen@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Luanne Van Werven

(R, Lynden), (360) 786-7980
luanne.vanwerven@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Vincent Buys

(R, Lynden), (360) 786-7854
vincent.buys@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 43

Sen. Jamie Pedersen

(D, Seattle), (360) 786-7628
jamie.pedersen@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Nicole Macri

(D, Seattle), (360) 786-7826
nicole.macri@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Frank Chopp

(D, Seattle), (360) 786-7920
frank.chopp@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 44

Sen. Steve Hobbs

(D, Lake Stevens), (360) 786-7686
steve.hobbs@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. John Lovick

(D, Mill Creek), (360) 786-7804
john.lovick@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mark Harmsworth

(R, Mill Creek), (360) 786-7892
mark.harmsworth@leg.wa.gov
E2SSB 6269 (AV19): Nay

District 45

Sen. Manka Dhingra

(D, Redmond), (360) 786-7672
manka.dhingra@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Roger Goodman

(D, Kirkland), (360) 786-7878
roger.goodman@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Larry Springer

(D, Kirkland), (360) 786-7822
larry.springer@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 46

Sen. David Frockt

(D, Seattle), (360) 786-7690
david.frockt@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Gerry Pollet

(D, Seattle), (360) 786-7886
gerry.pollet@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Javier Valdez

(D, Seattle), (360) 786-7818
javier.valdez@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 47

Sen. Joe Fain

(R, Auburn), (360) 786-7692
joe.fain@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Mark Hargrove

(R, Covington), (360) 786-7918
mark.hargrove@leg.wa.gov
E2SSB 6269 (AV19): Nay

Rep. Pat Sullivan

(D, Covington), (360) 786-7858
pat.sullivan@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 48

Sen. Patty Kuderer

(D, Bellevue), (360) 786-7694
patty.kuderer@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Vandana Slatter

(D, Bellevue), (360) 786-7936
vandana.slatter@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Joan McBride

(D, Kirkland), (360) 786-7848
joan.mcbride@leg.wa.gov
E2SSB 6269 (AV19): Yea

District 49

Sen. Annette Cleveland

(D, Vancouver), (360) 786-7696
annette.cleveland@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Sharon Wylie

(D, Vancouver), (360) 786-7924
sharon.wylie@leg.wa.gov
E2SSB 6269 (AV19): Yea

Rep. Monica Jurado Stonier

(D, Vancouver), (360) 786-7872
monica.stonier@leg.wa.gov
E2SSB 6269 (AV19): Yea

Address confidentiality for crime survivors

Keep your voting address confidential

The Address Confidentiality Program can register participants to vote without creating a public record.

To be eligible:

- you must be a survivor of domestic violence, sexual assault, trafficking or stalking, or be employed in criminal justice and a target of felony harassment on the job
- you must meet with a victim advocate who can assist with threat assessment, safety planning, and the program application
- you should have recently moved to a new location that is unknown to the offender and undocumented in public records

Call (800) 822-1065 or visit www.sos.wa.gov/acp.



Federal Qualifications & Responsibilities

Except for the President and Vice President, all federal officials elected in Washington must be registered voters of the state. Only federal offices have age requirements above and beyond being a registered voter.

Congress

The U.S. Senate and House of Representatives have equal responsibility for declaring war, maintaining the armed forces, assessing taxes, borrowing money, minting currency, regulating commerce, and making all laws and budgets necessary for the operation of government.

U.S. Senator

Senators must be at least 30 years old and citizens of the U.S. for at least nine years. Senators serve six-year terms. The Senate has 100 members; two from each state.

The Senate has several exclusive powers, including consenting to treaties, confirming federal appointments made by the President, and trying federal officials impeached by the House of Representatives.

U.S. Representative

Representatives must be at least 25 years old and citizens of the U.S. for at least seven years. Representatives are not required to be registered voters of their district, but must be registered voters of the state. Representatives serve two-year terms.

The House of Representatives has 435 members, all of whom are up for election in even-numbered years. Each state has a different number of members based on population. After the 2010 Census, Washington was given a 10th Congressional District.



Who donates to campaigns?

View financial contributors for federal candidates:

Federal Election Commission

www.fec.gov
Toll Free (800) 424-9530



Candidate statements are printed exactly as submitted. The Office of the Secretary of State does not make corrections of any kind or verify statements for truth or fact.



Maria

Cantwell

(Prefers Democratic Party)

Elected Experience

U.S. Senate 2001-present, U.S. House of Representatives 1993-1995, Washington State Legislature 1987-1993.

Other Professional Experience

Real Networks, Vice President of Marketing & Senior Vice President of the Consumer Products Division 1995-2000.

Education

First in her family to graduate college with the help of financial aid. Received B.A. in Public Administration from Miami University.

Community Service

Maria is an avid hiker and outdoorswoman who has summited Mt. Rainier, Mt. Adams, Grand Teton, Kilimanjaro, and hopes to tackle more of our nation's highest peaks.

Statement

Maria fights to do what's right for Washingtonians. She knows too many Washington families struggle to get by. Maria has worked to help create family-wage jobs and prepare America's workforce for 21st century innovation. She has passed laws to help our agriculture, aviation, maritime, fishing, and bustling port economies.

Housing costs are skyrocketing. That's why Maria successfully worked across the aisle to increase federal incentives to build more affordable housing. She fought to save the Affordable Care Act. Maria kept her promise to protect Social Security, Medicare, and Medicaid. She supported new laws to ensure veterans receive the healthcare they deserve. Maria believes prescription drugs should be affordable and pharmaceutical companies should be held accountable for flooding communities with addictive painkillers and she helped secure increased funding for law enforcement and treatment.

Making the dream of college education more affordable, Maria supports increasing Pell grants, allowing students to refinance loans, and she helped pass a 21st Century GI Bill to expand educational opportunities for veterans. Washington leads in aerospace and manufacturing trades. That's why Maria's bipartisan legislation creates the first federal tax incentive for apprenticeships - retraining veterans and laid-off workers at community colleges.

Maria helps grow Washington's tech industry by fighting for Net Neutrality and cybersecurity.

First responders are heroes who need support. Maria fought for wildfire funding focusing on prevention, protecting lives, and growing rural jobs. A vibrant outdoor economy supports rural communities. Maria led the charge to stop fee hikes in our National Parks and prevented oil exploration off Washington's coasts. She believes in state tax deductibility. Congress, like small business, needs to live within its means. Maria believes PAYGO measures fight our deficit.

Our American values are being challenged. We need to keep Maria in the other Washington fighting for our Washington values.

Contact

(206) 682-7328; maria@cantwell.com; www.cantwell.com

continue →



Susan

Hutchison

(Prefers Republican Party)

Elected Experience

Chairman, Washington State Republican Party 2013-18; Winner, 2009 County Executive Primary, Seattle Times endorsement

Other Professional Experience

20 years TV News Journalist KIRO(CBS)-Five Emmys; 10 years Executive Director, Simonyi Fund for Arts and Sciences

Education

Bachelor of Science, University of Florida; Certificate, National Security Forum, USAF Air University

Community Service

Seattle Colleges Advisory Board; Mayor Nickels Good Neighbor Award; Seattle Children's Hospital Foundation; Seattle Symphony Chair; King County Elections Task Force-Ron Sims appointee; Salvation Army NW Board; Governor's A+ Education Commission-Gary Locke appointee; Young Life Chair; Woodrow Wilson International Center for Scholars-Presidential appointee; Smithsonian Air and Space Museum Trustee

Statement

Our people deserve better than an ineffective Senator seeking an undeserved 4th term. We need a Senator who truly cares about the concerns of *this* Washington, not the *other*. Unlike her, I've been in every county and corner of the state these last 5 years--and I've heard you! You are fed up with Seattle's harmful policies which she accepts and supports--policies that jeopardize our future. You want a Senator who votes *your* pocketbook, not hers. You want big change *now* and so do I. In this election, I'm fighting for you. And I need your vote.

My ties here actually began before I was born--when my German and Norwegian immigrant grandparents settled in Tacoma. While I moved a lot as a military daughter and wife, my husband and I returned to the Puget Sound as soon as we finished Marine Corps active duty. We raised our two boys, investing time in things that matter: our kids' teachers, schools, and teams; our work (my husband at Boeing); our church--serving UW students; and *many* significant community needs. We also enjoyed hiking mountains, whale watching and helping visitors pronounce Puyallup.

But all the while I was fighting for you. *Against* a state income tax, *against* reckless spending of your taxes. *For* children's health, *for* public schools, *for* fair elections in King County. Unlike my opponent, I would have voted *for* working-family tax cuts, *for* our military, *for* the first woman to head the CIA. I will champion Washington's farms that feed the world. I can bring home vital infrastructure dollars, which she cannot. And be assured, when President Trump is good for Washington State, I'll support him. When he's not, *I* can talk to him.

I'll be your voice. I'll fight for you. Let's win this together!

Contact

(206) 880-1820; info@susan4senate.com;
www.susan4senate.com



Jaime Herrera

Beutler

(Prefers Republican Party)

Elected Experience

Fighting for Southwest Washington families and small businesses in Congress since 2010. My focus is on economic recovery, protecting seniors, and fighting against government waste. Washington State House of Representatives, 2007-2010.

Other Professional Experience

Former Senior Legislative Aide, U.S. House of Representatives. Before that, jobs from nanny to retail at the Vancouver Mall to picking blueberries.

Education

B.A., University of Washington, Communications

Community Service

Advocate for low-income parents and children facing medical complexities; working to prevent and promote treatments for kidney disease; helping veterans, small businesses and students succeed; preserving economic security for residents in rural communities.

Statement

From day one as your U.S. Representative, serving Southwest Washington's families and communities has remained my mission. I've listened to you, and I've stood up to both political parties including my own to put the needs of families and communities first.

Good jobs and bigger paychecks remain my focus. Our region should remain a great place to live, which means more good jobs and bigger paychecks. I helped pass legislation into law that will boost the average Southwest Washington family of four's take home pay by \$2,300 this year, and create 20,000 new jobs. My eighth Jobs Fair paired residents with new and better-paying jobs. I've led efforts to help our wood products industry, protect local steel and manufacturing jobs, and preserve fishing jobs and ports. And I won't let up; residents deserve great job opportunities right here.

Fighting Oregon's tolling scheme on I-5, I-205 bridges: The state of Oregon wants to toll Washington commuters who must use the bridges to get to work -- to pay for roads in areas our commuters rarely use. That's unfair. We're not Oregon's piggy bank. Furthermore, Oregon's tolling scheme would jeopardize our ability to fix the I-5 bridge. I'll continue actively opposing any tolling plan that treats Southwest Washington residents unfairly.

Protecting sportsmen, preserving salmon: Sea lion numbers have exploded on the Columbia River. They're gorging on salmon, driving them toward extinction. I'm leading bipartisan legislation to remove some of these predators and save our precious salmon.

Seniors have earned Social Security and Medicare. That's why I've fought to strengthen both vital trust funds for senior citizens who depend on them.

No one will work harder for Southwest Washington than I will. It's an honor to serve you in Congress and I ask for your vote.

Contact

(360) 597-3065; info@votejaime.com; www.votejaime.com



Carolyn Long

(Prefers Democratic Party)

Elected Experience

Educator. Not a career politician.

Other Professional Experience

I have taught Constitutional Law, Public Policy, and American Political Institutions at WSU Vancouver for 23 years. I paid my way through college working at Safeway as a proud member of UFCW 555.

Education

B.A., University of Oregon, Ph.D., Rutgers University, Political Science, Fulbright Scholar

Community Service

My community work has focused on economic development and community partnerships. In 2017, I was awarded the Iris H-RoC Award, which honors Southwest Washington women who have promoted civil discourse, teamwork, collaboration, and cooperation.

Statement

I grew up in a rural coastal community. My family ran our small business, John's Fresh Produce. During graduate school, I returned home each summer to work in the store and on our family farm. I started working at WSU Vancouver in 1995, where I am still teaching after 23 years.

Southwest Washington deserves a representative who puts People Over Politics and who is present, accountable, and committed to working for you. I've hosted over 25 town halls in front of more than 2,000 people. It's clear that we need better leaders in DC who represent you; not party leadership or special interests.

Healthcare for All & Affordable Prescription Drugs: It's time to stop playing politics with people's healthcare. I'll work to stabilize the ACA while we work to increase access and affordable options for all. We must allow Medicare to negotiate lower prescription drug prices. Access to medicines needed to live should be equally affordable for all.

Good paying jobs & improving infrastructure: We need to end wage stagnation, promote family wage jobs, and provide economic opportunities for all. Let's build an economy that ensures better wages and a better future. Rebuilding our infrastructure will create jobs and give families opportunities to succeed here at home. All our communities deserve reliable high-speed internet, so that they can succeed in today's evolving economy.

Protect Social Security and Medicare: We must stop any effort to cut earned income and retirement programs. This is non-negotiable.

I'm endorsed by the Washington State Labor Council, American Federation of Teachers, Attorney General Bob Ferguson, former Governor Chris Gregoire, former U.S. Representatives Brian Baird and Don Bonker, State Senators Dean Takko and Annette Cleveland, State Reps. Monica Stonier and Sharon Wylie, Clark County's 2017 First Citizen, Larry Smith, and many more.

Contact

(360) 896-7146; campaign@electlong.com;
www.electlong.com



Legislative Qualifications & Responsibilities

Legislators must be registered voters of their district.

Legislature

Legislators propose and enact public policy, set a budget, and provide for the collection of taxes to support state and local government.

State Senator

The Senate has 49 members; one from each legislative district in the state. Senators are elected to four-year terms, and approximately one-half the membership of the Senate is up for election each even-numbered year. The Senate's only exclusive duty is to confirm appointments made by the governor.

State Representative

The House of Representatives has 98 members; two from each legislative district in the state. Representatives are elected to two-year terms, so the total membership of the House is up for election each even-numbered year.



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Chris
Corry

(Prefers Republican Party)

Elected Experience

No information submitted

Other Professional Experience

Chris Corry is a risk management and insurance expert. He helps small businesses manage their risks and protect their employees. Past Audit And Manager and Senior Auditor in the insurance industry.

Education

University of Washington, B.A. Political Science.

Community Service

Board member for Crime Stoppers and Yakima Southwest Rotary. Active with Fostering Washington, a program that recruits and retains foster parents in Central Washington. Serves with United Way of Central Washington as a Loaned Executive. Chris is concerned with Seattle liberal agenda and its impact on us here. As our Representative he'll fight back with common-sense principles.

Statement

For too long, Seattle's liberal agenda has dominated state government. I'll work tirelessly to protect our conservative, Central Washington values in Olympia. *I am not a government elitist!* I share Ronald Reagan's perspective that, *"The nine most terrifying words in the English language are 'I'm from the government and I'm here to help.'"*

I believe we need safe neighborhoods, strong families, thriving communities and timeless values; not higher taxes and more government spending. Through common-sense conservative principles, I'll always vote for limited, less expensive state government. I'll fight to keep Central Washington strong for the next generation.

Contact

(509) 596-1482; electchrisorry@gmail.com;
www.chrisorry.com



Sasha
Bentley

(Prefers Democratic Party)

Elected Experience

Chairperson, Klickitat County Democrats

Other Professional Experience

Business Consultant, Legal Workflow Consulting; Business Owner, Jentley Games LLC; Founder/Director, Klickitat Advocacy; Paralegal and Office Manager, Jay Krulewitch and MDC Legal

Education

University of Washington, B.A. Political Science; Moscow High School in Moscow, Idaho.

Community Service

Member, Mt. Adams Chamber of Commerce; Member, League of Women Voters-Yakima; Leadership Team Member, Columbia Gorge Women's Action Network; Event Organizer, Connect to Your Cause Volunteer Expo; Co-organizer, Columbia Gorge Advancement Summit; Member, Community Justice Coalition; Volunteer and Member, Human Rights Campaign; Youth Soccer Coach

Statement

Sasha Bentley will work tirelessly to support working people, grow the middle class, and help communities left behind. She will champion state and private investments, ensuring that our district, from the City of Yakima to our rural areas, receives resources it needs to thrive. Sasha is committed to working across the aisle on important issues like affordable housing, education, healthcare, and property tax reduction. She is a resourceful problem solver, hard-working entrepreneur, and proven leader who is passionate about public service and transparent, efficient government. Sasha is dedicated to working year-round to be your voice in Olympia.

Contact

(509) 833-5780; sashaforstate@gmail.com;
www.sashaforstate.com



Gina
Mosbrucker

(Prefers Republican Party)

Elected Experience

Legislator Washington House of Representatives Committees Labor & Workplace Standards and Community Development (Ranking), Housing and Tribal Affairs (Past Ranking) Business & Financial Services; Co-Chair Washington State SAFE Task Force; Board of Directors: Choice Hotels Owners Council

Other Professional Experience

20+ years Business Entrepreneur; Washington State Business Caucus (Founder), Chamber of Commerce VP, Woman of the Year finalist WBA

Education

Concord School of Law attended, UofW B.A. Degree Political Science, Clark College A.A. Degree, C.H.A.

Community Service

Cancer Walk 60 miles, Lung Association Bike 120 miles, Relay for Life, Homeless Food server, Scholarship classes for low income children Performing Arts Studio 20+ years.

Statement

With all my heart, I am grateful for the opportunity to serve each of you at our beautiful Washington State Capital. This continues to be my dream job. With the help of incredible staff we have passed 9 bills. Government fiscal responsibility and serving those who need our help, remain my priorities. I remain strong on principal and policy, regardless of the challenges. With the help of faith, family and exceptional friends, I have been and will continue to be "Proven Strong." Thank you for allowing me to be your representative. I humbly ask for your vote.

Contact

(509) 250-0679; reelectgina@gmail.com



Liz
Hallock

(Prefers Democratic Party)

Elected Experience

No information submitted

Other Professional Experience

Forward-thinking Attorney and Open Government Advocate. Owner of Yakima's Largest Retail Marijuana Store. National Organization of Veterans' Attorneys. Basketball, Rock Climbing, and Tennis Coach.

Education

Princeton University (A.B.). Columbia University. University of San Francisco Law School (J.D., Public Interest Certificate, Environmental Law Society President). Tulane Summer Law School in Human Rights and International Law. Immigrant Legal Resource Center.

Community Service

Princeton Alumni Association. Volunteer Relief Worker during Syrian Refugee Crisis. Financial Educator for Domestic Violence Victims. Volunteer Youth Yoga Teacher. California Death Penalty Appellate Project (Liz opposes state sponsored violence). Student Hurricane Network. USF Moot Court.

Statement

Libertarian Democrat. An open government advocate, Liz believes communications between legislators and registered lobbyists should be subject to public disclosure laws. Pay to play lobbying, cronyism in government grant-making, and faith-based political decision-making must end. Homelessness, the home affordability crisis, and healthcare reform top priorities. As a trained attorney, Liz approaches problems analytically. She is a staunch defender of civil liberties and believes in limited, common sense gun reform that will not affect responsible adults. Pro-marijuana banking access. Opposes warrantless surveillance. Pro-DACA. Will protect deserving immigrants, but prioritizes diversifying the district's agricultural economy.

Contact

(360) 909-6327; liz@lizfor14.org; www.lizfor14.org



Vicki Kraft

(Prefers Republican Party)

Elected Experience

State Representative; Assistant Ranking Member State Government, Elections and Information Technology Committee.

Other Professional Experience

20 plus years private sector business experience; Account Executive for Dell, Pillsbury, Frigidaire. Small business owner providing grant writing for nonprofits; Private sector business liaison to Washington K-12 school districts; Worked for We Care America, a nonprofit that worked with the U.S. faith-based and community initiatives office.

Education

Graduate Michigan State University, B.A. Advertising; Graduate, Jennifer Dunn Leadership Institute.

Community Service

Member, Greater Vancouver Chamber of Commerce; Boys and Girls Club; Clark County Veterans Assistance Center; Salvation Army; and Evergreen Bible Church.

Statement

Two-years ago, I made a pledge to bring leadership, integrity and accountability to government, focusing on priorities to make our community a better place to live and work. As your State Representative, I've worked hard to keep this pledge. I've fought to improve fiscal responsibility and accountability in government, reduce small business taxes, create jobs, help veterans and decrease I-5 traffic congestion. I have advocated for real property tax relief, and worked to prioritize student achievement and school safety.

Your interests will always come first. Together we are making a difference. I respectfully ask for your vote.

Contact

(360) 335-5387; Vicki@VickiKraft.com;
www.VickiKraft.com



Tanisha Harris

(Prefers Democratic Party)

Elected Experience

Has never been elected to public office

Other Professional Experience

Court Appointed Special Advocate Program Specialist with YWCA Clark County, advocating for foster children and our most vulnerable families. Previously worked for Evergreen Public Schools, supporting multicultural and diversity education throughout the district

Education

Evergreen High School. Associate Degree, Clark College. Bachelor's Degree, WSU-Vancouver. Paralegal certificate, Sumner College

Community Service

Co-chaired successful levy with Evergreen Citizens for Schools. Received recognition for work in the community, earning the Fort Vancouver Trust General George C Marshall Public Leadership Award, the YWCA Val Joshua Racial Justice Award, and as a Vancouver Business Journal 40 under 40 recipient

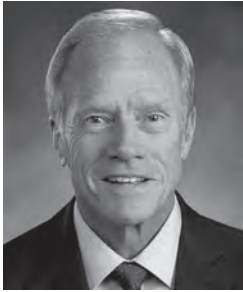
Statement

Our community deserves a champion in Olympia who will fight for our middle-class values and bring home real results. It's time to focus on what matters most to us here in Clark County -- safe, quality schools and neighborhoods, roads and infrastructure that keep us moving quickly, and helping working families thrive through lower, fairer taxes, housing affordability, reducing the cost of living, and growing our local economy. I'm committed to working hard, across the aisle, to represent us with integrity and decency.

Endorsed by teachers, labor, women and children groups and many others. I respectfully ask for your vote

Contact

(360) 521-0738; info@electtanishaharris.com;
www.electtanishaharris.com



**Paul
Harris**

(Prefers Republican Party)

Elected Experience

State Representative-2010-2018, Ranking Member Education House Committee/Member Healthcare House Committee/Member Appropriations House Committee - 2016-2018, Republican House Whip-2012-2016, Precinct Committee Officer-2003-2014, Evergreen School Board-1993-2003.

Other Professional Experience

Owner/Solid Solutions, LLC, Washington State Sales Manager/Quick Collect, Inc., Owner/Cascade Paint & Supply, Vice President/Miller Paint Company.

Education

Bachelor of Science/Business Administration with emphasis in Accounting and Economics/Brigham Young University, Provo, UT

Community Service

Board Member Columbia River Mental Health, Board Member Share, Lifelong Boy Scout Leader, Eagle Scout, Rotary Member, Soccer Coach, Basketball Coach.

Statement

Re-elect Paul Harris. I will focus on school safety, mental health and addiction with local access of care. These issues affect thousands in our community and are a major cause of homelessness and suicide. I want to keep seniors in their homes by expanding property tax deferrals for all. I support a new I-5 bridge with additional crossings; not Oregon tolling proposals that dismiss our traffic congestion and the need for more lanes. I will not support a state income tax. I work for you. My door is always open. Thank you for your support. Vote Paul Harris

Contact

(360) 553-2748; plharris@comcast.net;
www.electharris.com



**Damion E
Jiles, Sr.**

(Prefers Democratic Party)

Elected Experience

None

Other Professional Experience

Managing Account Executive - Roettger Sales and Consulting; US Army veteran

Education

AAS - Data Networking and Telecommunications, Clark College; BS - Political Science, Southern New Hampshire

Community Service

Member, Ridgefield Community Group; Coach, Vancouver Flames

Statement

I recognize a need for change in the 17th and I am the person to get that done. From my time served in the United States Army, I bring leadership and discipline to the table. I have been a resident of the 17th for 13 years and it is a great place to live and raise a family. If elected, I will work hard for the issues that concern the citizens of the 17th. Issues like education, healthcare and infrastructure deserve attention and I am the person to get that done.

Contact

(360) 931-7129; damion@damionejiles.com;
www.damionejiles.com



Brandon Vick

(Prefers Republican Party)

Elected Experience

Brandon Vick currently serves as State Representative from the 18th Legislative District; Ranking Member of the Business & Financial Services Committee; Assistant Ranking Member of the Commerce & Gaming Committee; Appropriations Committee; Legislative Ethics Board and Washington State Gambling Commission. 2017 Vancouver Chamber of Commerce "Statesman of the Year."

Other Professional Experience

Business leader who has operated a family-owned landscape construction company - employing Washingtonians for over 50 years.

Education

Graduate of Hudson's Bay High School; Associate Degree in Communications, Clark College; Attended Washington State University.

Community Service

Leadership Clark County; Salvation Army; Vancouver Business Journal "Accomplished Under 40"; Eagle Scout.

Statement

I am proud to have earned a reputation as an effective legislator who works hard to ensure that your voice is heard. Results matter! I have spearheaded legislation to help our citizens and businesses grow and prosper. As our community grows, new challenges are sure to arise. I look forward to addressing those with you. I remain focused on providing a first-class education, reducing your property tax burden, balancing our budget, and on creating an environment where businesses can thrive while creating family-wage jobs locally. I ask again for your vote to represent you another two years!

Contact

(360) 609-4363; brandon@electbrandonvick.com;
www.reelectbrandonvick.com



Chris Thobaben

(Prefers Democratic Party)

Elected Experience

Chris serves as a PCO and as a county and state Democratic platform committee member.

Other Professional Experience

A Major in the Marine Corps, Chris served 8 years active duty before transitioning to the Reserves where he serves as a Logistic Officer with HQMC, I&L's NexLog. An experienced small business owner, he works as a supply chain consultant for small and large businesses.

Education

He Received his B.A. in Political Science from Miami University and his M.S. in Supply Chain Management from Syracuse University.

Community Service

Chris serves to help veterans in crisis and volunteered with Catholic Charities' Refugee Resettlement.

Statement

We have too much to offer to stand by while others speak on our behalf in Olympia. I bring a voice to our community that won't be ignored. I want to help unlock the potential of our most valuable resource, our people, through development of college prep and trade programs that our businesses depend on. I will create veteran programs that bring labor and industry together to provide job certifications which guarantee careers upon completion. I'll push for partnerships with healthcare providers to bring healthcare access to everyone, especially rural communities. Help me make our voices heard again.

Contact

(360) 799-4889; vote@chrisforthe18th.com;
www.chrisforthe18th.com



**Kathy
Gillespie**

(Prefers Democratic Party)

Elected Experience

2009-2017 Board Director Vancouver Public Schools. Twice awarded statewide Board of the Year. Received national awards for leadership, oversight, innovation. Ex-officio member, Foundation for Vancouver Schools. Elected PTA president multiple schools, awarded for leadership.

Other Professional Experience

Award-winning newspaper editor, reporter, supervisor. Graduate, Leadership Lake Oswego. Board service in education, advocacy, community. State, national training in budget oversight, data analytics.

Education

Graduate, Colorado State University, Political Science

Community Service

Junior Achievement volunteer, Lunch Buddy, tutor, fundraiser, organizer. Served on Principal Advisory Committees, School Improvement Committees, Strategic Planning. 4x volunteer puppy raiser Canine Companions for Independence. Oregon, Clark County food bank.

Statement

In this era of divisive politics, it's important that our leaders put people first, safeguard our tax dollars, and deliver results for our community. An experienced leader, Kathy will work to deliver our community its fair share of the state budget and will always put people over politics.

We need to fix our roads and solve our transportation issues. We need to grow and diversify our local economy. We need to strengthen our local public schools. We need to support our small businesses, cut property taxes, increase transparency and accountability in Olympia. Kathy will deliver real results for us.

Contact

(360) 901-6538; kathy.e.gillespie@comcast.net; electgillespie.org



**Larry A.
Hoff**

(Prefers Republican Party)

Elected Experience

NW Credit Union Association Board of Directors

Other Professional Experience

Retired CEO of a local credit union, serving over 80,000 members.

Education

USN Petty Officer 2nd Class; B.S.B.A. Major in Accounting, University of North Dakota; Executive Excellence, Covey Leadership Center; Executive Development, Stanford University Graduate School of Business.

Community Service

Doernbecher Children's Hospital Foundation, Board of Directors; St. Paul Lutheran Church, President, Treasurer; St. Paul Day Care, President, Treasurer; Vancouver Dawn Lions, President; Clark County Department of Community Services, Advisory Board; Longview Noon Rotary, Board of Directors.

Statement

Larry led a credit union through the great recession and helped it become one of the most successful in the state by putting people ahead of profits and carefully investing to help families and small businesses succeed. *These same skills and values will make Larry an excellent Representative.*

Larry will treat our state budget with the same respect he treated a family's life savings. He will cut wasteful spending, fight to minimize taxes, and vote to invest where taxpayers get the best return: a superior education system for our children and an efficient transportation network for our economy.

Contact

(360) 798-9999; Larry@ElectLarryHoff.com; electlarryhoff.com/

No photo
submitted

Richard
DeBolt
(Prefers GOP Party)

Elected Experience

No information submitted

Other Professional Experience

No information submitted

Education

No information submitted

Community Service

No information submitted

Statement

No information submitted

Contact

(360) 304-7900; richardcdebolt@gmail.com



John
Thompson
(Prefers Democratic Party)

Elected Experience

No information submitted

Other Professional Experience

I served in the U.S. Navy with 2 tours of Viet Nam. I am a 50-year member of the International Union of Operating Engineers, serving as a President, Treasurer, Secretary and Negotiator.

Education

No information submitted

Community Service

I have served on many Boards of Directors, including United Way, Tacoma-Pierce County Chamber of Commerce, Community College Advisory Boards, Workforce and Economic Developments Board and currently on the Cascade Regional Blood Services Board. I served on a Citizens Elections Oversight Advisory Commission and Ballot Tabulation Technology Commission. I have been a member of the Safe Streets prevention partnership.

Statement

I believe that we must care for our citizens, that means good well funded schools, colleges or vocational education, apprenticeships for good jobs. I believe we need more jobs to sustain our economic future. We need good universal healthcare system for all citizens. We need to quit giving corporations our hard-earned tax dollars if they do not keep and grow jobs in our State. Lastly, we need to help our fellow veterans and homeless. As a gun owner and Viet Nam Veteran we need good common-sense gun regulations to protect our citizens. I ask for your vote.

Contact

(253) 441-5624; ElectJohnThompson@gmail.com



Ed Orcutt

(Prefers Republican Party)

Elected Experience

Serving his eighth term in the House of Representatives, Ed Orcutt has served as Transportation Committee (ranking member), Finance Committee (assistant ranking/ranking member) and Agriculture and Natural Resources Committee member.

Other Professional Experience

Consulting forester/owner of Cascade Forest Management.

Education

B.S. degree in Forest Management, University of Idaho; A.S. degree in Forest Management, University of Maine;

Community Service

An active volunteer, Ed Orcutt has served as president of a Lions Club, is a member of Kalama Lions, past chairman of the Highlander Festival, member of the Columbia Theatre Board, and served as a youth bowling coach.

Statement

State Representative Ed Orcutt has earned a reputation in Olympia as an effective, independent leader who works hard to make things happen for the families in Southwest Washington. He's a leader in protecting taxpayers, natural resource-based jobs, your constitutional rights, and the quality of life we all enjoy.

Ed Orcutt's priorities include creating new family-wage jobs, making government agencies more responsive to the citizens they serve, and making government live within its means. That means funding education and vital services using existing revenues and protecting taxpayers from tax increases. Let's keep Ed Orcutt in the House.

Contact

(360) 751-2317; ElectEdOrcutt@kalama.com; RepEdOrcutt.com



Brennan Bailey

(Prefers Democratic Party)

Elected Experience

Chehalis School Board, 2011-Present.

Other Professional Experience

Teacher - Toledo School District, 2016-Present; Teacher - Longview School District, 2015-2016; Owner/Broker - Vistas Northwest Real Estate, 2009-2014.

Education

Harvard University - Master's of Education Policy, 2018. Concordia University - Master's of Education Leadership, 2016. Western Governor's University - Bachelor's of Interdisciplinary Studies, 2015.

Community Service

Ashley and Brennan Bailey STEM Scholarship, 2016-Present. Vistas Northwest Christmas Toy Drive, 2010-2013.

Statement

Bailey is a fifth-generation resident of the 20th District and understands the needs of our area. He is a fiscally conservative Democrat. He does not support unnecessary tax increases and believes that tax cuts and incentives should go to the middle class, working class, and small, locally owned businesses. He won't take your guns or support a state income tax, and he will aim to work within the current budget to find solutions for our community. If elected, Bailey will work with both parties to pass legislation that will promote job creation and economic growth in rural areas.

Contact

(360) 269-6129; BrennanBailey@hotmail.com; www.BrennanBailey.com

**Sharon
Wylie**

(Prefers Democratic Party)

Unopposed**Elected Experience**

I have served the people of the 49th district since my appointment in 2011. I am Vice Chair of the Transportation committee, and serve on Finance, Technology, Energy, and Economic Development committees. Served in Oregon House in 1993 and 1995.

Other Professional Experience

Thirty years of experience in business, management and government relations consulting. As Clark County government relations officer, obtained funding for the Center for Community Health and the Salmon Creek interchange.

Education

B.A Political Science University of California, Riverside - 1975.

Community Service

Served on Council for the Homeless, Affordable Community Environments, Art in the Heart Committee, Hough Foundation supporter.

Statement

It has been an honor and privilege to serve the people of the 49th district. I am proud that we have made significant progress on funding education, protecting healthcare, and being the first state to pass net neutrality to preserve an open internet. We face additional challenges that will require hard work and collaboration. Online consumer safety, affordable housing for aging and vulnerable populations, educating for a future economy, and leading in sustainable energy are top priorities of mine.

It is now more important than ever to solve problems and work together with civility, respect and persistence. Thank you.

Contact

(360) 921-5716; campaign@sharonfor49th.com;
ElectSharon.com

**Monica Jurado****Stonier**

(Prefers Democratic Party)

Unopposed**Elected Experience**

Washington State Representative; Vice Chair, House Education Committee; Majority Deputy Whip, House Democratic Caucus; Chair, Financial Education Public Private Partnership

Other Professional Experience

Classroom teacher, Pacific Middle School Teacher Professional Development provider in Evergreen Public Schools; Head Coach, Cross Country at Pacific Middle School; Commissioner, Student Center Learning Commission; Chair, Working Families Caucus

Education

Bachelor of Arts in Psychology, Western Washington University; Washington State Teaching Certificate, Western Washington University Master's in Education, Washington State University Vancouver

Community Service

General Advisory Committee, Cascadia Tech Academy, Skills Center; Member, Healthy Living Collaborative; Chair, Children's Health One Table; George C. Marshall Public Leadership Award Nominee

Statement

Thank you for sending me to Olympia. Now, we celebrate equal pay and women's health care access, state family and sick leave, net neutrality, historical progress on homelessness, access to mental health services, fully funded schools, and teacher compensation as voters demanded. My experience and successes in children's health care access, graduation standards, and working family issues continue to serve our region well.

I ask you to send me back to Olympia to continue as a champion for our children, working families, small business community, and economic growth in our corner of the state in Southwest Washington.

Contact

(360) 901-2895; info@votemonicastonier.com;
www.votemonicastonier.com



Judicial Qualifications & Responsibilities

Washington judges are nonpartisan. Judicial candidates must be in good standing to practice law in Washington and are prohibited from statements that appear to commit them on legal issues that may come before them in court. Judges must be registered Washington voters.

State Supreme Court Justice

The Washington Supreme Court is the highest judiciary in the state. State Supreme Court justices hear appeals and decide cases from Courts of Appeals and other lower courts. Nine justices are elected statewide to serve six-year terms.

Court of Appeals Judge

Court of Appeals judges hear appeals from Superior Courts. A total of 22 judges serve three divisions headquartered in Seattle, Tacoma, and Spokane. Each division is further split into three districts. Court of Appeals judges serve six-year terms.

Superior Court Judge

Superior Courts hear felony criminal cases, civil matters, divorces, juvenile cases, and appeals from the lower courts. Superior Courts are organized by county into 30 districts. Superior Court judges serve four-year terms.



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**Susan
Owens**

(Nonpartisan)

Unopposed

Legal/Judicial Experience

Washington State Supreme Court Justice; former District Court Judge, Western Clallam County; former Chief Judge, Quileute Tribe; former Chief Judge, Lower Elwha S'Klallam Tribe

Other Professional Experience

Member, Rules Committee, Bench-Bar-Press Committee, and the Board for Judicial Administration

Education

BA, Duke University; JD, University of North Carolina at Chapel Hill

Community Service

Justice Owens has trained judges nationally from Anchorage to Albuquerque on domestic violence issues, and participated in the writing of the Northwest Tribal Judges Domestic Violence Manual. She has also lectured at the National College of Prosecuting Attorneys' Domestic Violence Conference, and is committed to this very important area of law.

Statement

"I bring diverse judicial experience and a commitment to upholding our laws and Constitution to my job as a Supreme Court Justice. I'm a proud, independent voice for common sense rulings that respect our rights and communities."

Supreme Court Justice Susan Owens has served with integrity, independence and a strong commitment to our Constitutional rights. Prior to being elected to the Supreme Court in 2000, Justice Owens served on the Clallam County District Court for nearly two decades. An advocate for crime victims and families, she earned a national reputation teaching judges how to enforce tougher domestic violence laws.

One of the most productive Justices, authoring numerous important opinions on complex cases, Justice Owens has served with honor and the respect of her peers. Her plain interpretations of the law are rooted in common sense, free of bias, and seek to respect your rights and privacy.

A seasoned judge when she joined the court, she has earned the respect and endorsements of judges statewide, advocates for women, crime victims, working families and law enforcement. Re-elect Justice Susan Owens.

Contact

(360) 866-6052; sowens@olypen.com;
www.reelectjusticesusanowens.com



**Nathan
Choi**

(Nonpartisan)

Legal/Judicial Experience

Practicing Attorney since 1999. Licensed in Multiple Jurisdictions. Practiced in Multiple Countries. Hawaii Supreme Court Annexed Arbitrator from 2003-2009

Other Professional Experience

Professor of Accounting-Hawaii Business College; Merrill Lynch (Once World's Largest Brokerage) Midmarkets Securities Trading Desk; Developed Numerous Real Estate Projects; Housing Association Director; Chief Executive Office (Private Equity/Non-Profit Charitable Organizations) Real Estate Principal Broker

Education

Juris Doctor and Masters of Business Administration-University of Hawaii Bachelor's Degree in Real Estate and Accounting-University of Hawaii

Community Service

Donated Numerous Generous Scholarships; Funded Multiple Missionary/Humanitarian Organizations; Conducted Free Legal Seminars for Immigrants and other less privileged members of society

Statement

The 2 most important qualities of a Judge in order of importance 1: Fairness 2: Real world experience. Nathan Choi owes no political party or special interest Quid Pro Quo. This is the cause of the current constitutional crisis in our Nation's Capital. Why else does one judge rule in opposite of another under identical written laws? I am a Patriot. My allegiance is to you.

Nathan Choi is the most experienced candidate to resolve current vital issues in Washington. The housing problem can be resolved with proper interpretation and implementation of laws. The Supreme Court is in the special position to interpret legislative laws to positively impact the public. The Judiciary needs Real World Experience how rulings affect developers, business, and the public. I have litigated and developed housing and know exactly how they create or eliminate affordable housing and other legal problems.

The Judiciary needs an understanding of economics, tax regulations and the ripple effects of their decisions. I am the only candidate who has successfully developed Real Estate and understands the Macro Economics of legal decisions and will apply the law without bias and for the benefit of the public. Learn more at WAjudicialwatchdog.org.

Contact

(425) 691-6559; kanakavaivai@gmail.com;
www.nathanchoiforjudge.org



**Steve
Gonzalez**

(Nonpartisan)

Legal/Judicial Experience

Current Supreme Court Justice. Ten years as King County Superior Court Judge. Former Assistant US Attorney, Domestic Violence Prosecutor, and business lawyer.

Other Professional Experience

Chair, statewide Access to Justice Board and Interpreter Commission. Chair, Traveling Court and Court Security Committees. National instructor on prosecuting international terrorism. State Constitutional Law Instructor at Gonzaga University.

Education

JD, UC Berkeley. BA with Honors, Pitzer College. Rotary International Scholar in Economics. Honorary Doctorates from Gonzaga and University of Puget Sound.

Community Service

Board member, Washington Leadership Institute, Northwest Minority Job Fair. Regularly teaches civics in schools across Washington, and mentors students.

Statement

Justice Steve Gonzalez is a husband and father with a distinguished career serving the people of Washington and protecting the integrity of our judicial system. He writes clear opinions that support our rights and the rule of law.

He spent a decade as a King County Superior Court Judge and earned a reputation as a fierce advocate for judicial access and fairness. As a lawyer, he prosecuted terrorism, hate crimes, and domestic violence. He was also a business attorney and regularly did free work for people who could not pay.

Justice Gonzalez was named "Outstanding Judge of the Year" by several organizations, including the Washington State Bar. He is rated "Exceptionally Well Qualified" by ten professional and civic organizations, including the Veterans Bar, Joint Asian Bar, and Washington Women Lawyers.

Justice Gonzalez has bipartisan support. He is endorsed by his Supreme Court colleagues, Attorney General Bob Ferguson, former Attorney General Rob McKenna, Congresswomen Pramila Jayapal and Suzan DelBene, former Governor Gary Locke, Secretary of State Kim Wyman, Senator Bob Hasegawa, Representative Sharon Tomiko Santos, former Representative Velma Veloria, former King County Executive Ron Sims, judges statewide; State Labor Council, State Fire Fighters, State Patrol; legislative districts across the state.

Contact

(206) 707-9239; info@justicegonzalez.com;
justicegonzalez.com



Sheryl Gordon

McCloud

(Nonpartisan)

Unopposed**Legal/Judicial Experience**

Supreme Court Justice since 2012; nearly 30 years as an accomplished trial and appellate lawyer; former adjunct professor, Seattle University School of Law

Other Professional Experience

Chair, Gender & Justice Commission; member, State Bar Association's Council on Public Defense; Washington Women Lawyers President's Award recipient. Prior to service on the Court, recipient of William O. Douglas Award presented by the Washington Association of Criminal Defense Lawyers for "extraordinary courage and dedication" to justice

Education

J.D., University of Southern California Law Center; B.A., State University of New York at Buffalo, *cum laude*

Community Service

Frequent speaker at school, community, and court-related events

Statement

Justice McCloud was elected to the Supreme Court in 2012 after a long career fighting for constitutional and individual rights, often for people who could not afford a lawyer.

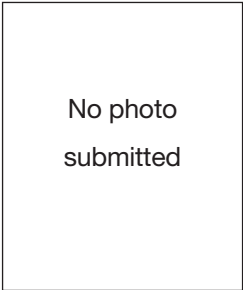
Now, she is an experienced Supreme Court Justice. Her fairness, hard work, clear writing, and intellect have earned her awards, endorsements, and "exceptionally well qualified" ratings from groups with varying points of view across the state. She is endorsed by Democrats, Republicans, Independents, and community leaders – all who believe in the importance of an independent judiciary.

Justice McCloud remains dedicated to equal rights and access to justice for all. She believes this is a time when all of us, regardless of our political views, must stand together in defending our right to a fair and independent judiciary – a right vital to our democracy.

Endorsements: Attorney General Bob Ferguson; former Attorney General Rob McKenna; former U.S. Attorneys Mike McKay and John McKay; 12 current & former Supreme Court justices and over 150 judges statewide; National Women's Political Caucus of Washington; Washington State Labor Council; State Patrol Troopers Association; State Council of Firefighters; King County Democrats; See more: www.justicesherylmccloud.com; Rated "Exceptionally Well Qualified" by 10 independent Bar Associations

Contact

(425) 466-0619; justicesherylmccloud@gmail.com;
www.justicesherylmccloud.com



Rich
Melnick
(Nonpartisan)

Unopposed

Legal/Judicial Experience

No information submitted

Other Professional Experience

No information submitted

Education

No information submitted

Community Service

No information submitted

Statement

No information submitted

Contact

(360) 254-8367; rmelnick@ispllc.net

Coming July 2019

Voter registration laws will change in time for next year's Primary.



Starting July 2019... New Voter Registration Deadlines

8 days before Election Day: To register by mail or online, your application must be received no later than 8 days before Election Day.

Election Day: Visit a local voting center to register or update your address **in person** no later than 8 p.m. on Election Day.



Future Voter Sign-up

Also starting in July 2019, sixteen and seventeen year olds can sign up as Future Voters and will be registered to vote when they turn eighteen.



Automatic Voter Registration

Applicants who meet all qualifications will be registered to vote when receiving or renewing an enhanced driver's license or identicard, unless they opt out. Starting July 2019.

For full bill information visit app.leg.wa.gov/billinfo
SSB 6021, 2SHB 1513, and E2SHB 2595

Clark County Official Local

Voters' Pamphlet

November 6, 2018 General Election

No postage is needed when mailing your 2018 ballot

Look for your General Election ballot by October 25, 2018



Remember!
Sign and date
your return
envelope



Published by the
Clark County Auditor's Office

STAY INFORMED

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@ClarkCountyWAElections

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Political parties

Washington State Republicans
11811 NE 1st Street, Ste. A306
Bellevue, WA 98005
425-460-0570
caleb@wsrp.org
wsrp.org

Washington State Democrats
PO Box 4027
Seattle, WA 98194
206-583-0664
info@wa-democrats.org
wa-democrats.org



Who donates to campaigns?

View financial contributors for candidates and measures:

Public Disclosure Commission
www.pdc.wa.gov
Toll Free 877-601-2828

Elections director letter

Dear Clark County Voter,

Equal treatment of voters is a foundational principle of elections!

In response to King County providing prepaid postage for all ballots returned through the mail, Washington State is funding prepaid postage for use in the 2018 primary and general elections for the other 38 counties. Funds for prepaid postage do not extend beyond this year. It is my hope that the state will make this a permanent feature of our elections.

For the 2018 General Election: If you choose to return your ballot through the mail, you do not need to use a stamp. The U.S. Postal Service postmarks ballot envelopes. If for any reason, the postmark is missing, Elections staff will look at the date you signed your ballot envelope. Make sure to sign and date your ballot envelope.

To make sure you receive your ballot, it is necessary that you keep your address current with the Elections Office. We instruct the Postal Service not to forward ballots. If you need to update your address, you can do so online at clarkvotes.org, by calling the Elections Office at 564-397-2345 or by completing and returning the voter registration form in this pamphlet.

If you are a registered voter and have not received your ballot in the mail by Thursday, October 25, please contact the Elections Office for a replacement ballot.

Please remember to vote and return your ballot by Tuesday, November 6. Don't leave it to a few people to choose for you. It's your vote. It's your voice.

Sincerely,



Cathie Garber
Director of Elections
Clark County Auditor's Office



Has your address changed? Has your signature changed? Lost or damaged ballot?

Contact:
Clark County
Elections Office

564-397-2345
elections@clark.wa.gov
clarkvotes.org

Mailing address
PO Box 8815
Vancouver, WA 98666-8815

Street address
1408 Franklin Street, Vancouver

**For other formats, contact the
Clark County ADA Office**

Voice 564-397-2322
Relay 711 or 800-833-6384
Fax 564-397-6165
Email ADA@clark.wa.gov



Follow Us
[@ClarkCountyWAElections](https://www.facebook.com/ClarkCountyWAElections)

Voting in Washington State

Registering to vote

Registering takes only a few minutes, and you may do it by mail or online at clarkvotes.org.

MyVote

register to vote | my voting information

A Washington driver's license or ID is required to register online. If you have moved within the same county, you may complete a new form or contact the Elections Office by mail, email or phone.

Who is eligible to vote?

The requirements for registering to vote are simple. You must be a United States citizen, 18 years or older on November 6, 2018 and live in Clark County 30 days prior to the election.

How to vote

Clark County voters will receive their ballots by mail. If you are a registered voter in Clark County, we will mail you a ballot for every election in which you are entitled to participate.

The **Voting instructions** on page 67 in this pamphlet explain how to vote in Clark County. Please read the instructions in this pamphlet. We want your vote to count!

Lost or damaged ballot?

Obtain a replacement ballot by contacting the Elections Office.

Phone: 564-397-2345

Email: elections@clark.wa.gov

Mailing address: PO Box 8815, Vancouver, WA 98666-8815

Street address: 1408 Franklin Street, Vancouver

Speech-to-speech relay: 800-833-6384

Be an informed voter. Here's how.

There are many sources of information for citizens wishing to know more about candidates and coverage of the November 6, 2018 General Election.



Read all about it

- **The Columbian**
columbian.com
- **The Oregonian**
oregonlive.com/elections
- **The Camas-Washougal Post-Record**
camaspostrecord.com
- **The Reflector**
thereflector.com

League of Women Voters

For a schedule of events or candidate forums, see their website at washingtonvoter.org or call 360-693-9966.



Watch cable TV

CVTV Clark-Vancouver Television on Comcast cable channels 21 and 23. Election coverage will include candidate forums and interviews of candidates in various races. See TV listings in *The Columbian*, cable channel 2, and the CVTV website, cvtv.org or call 360-487-8703.

If you do not have cable TV you can obtain video tapes of any program from CVTV.



Look online

- Election coverage can be found on the Clark County Elections Office website at clarkvotes.org.
- All Fort Vancouver Regional Library District branches and Camas Public Library have computers with internet connections available for public use.
- Follow links provided by candidates to their website, or contact them by email or phone. Contact information is listed for all candidates in this pamphlet.

What District Am I in?

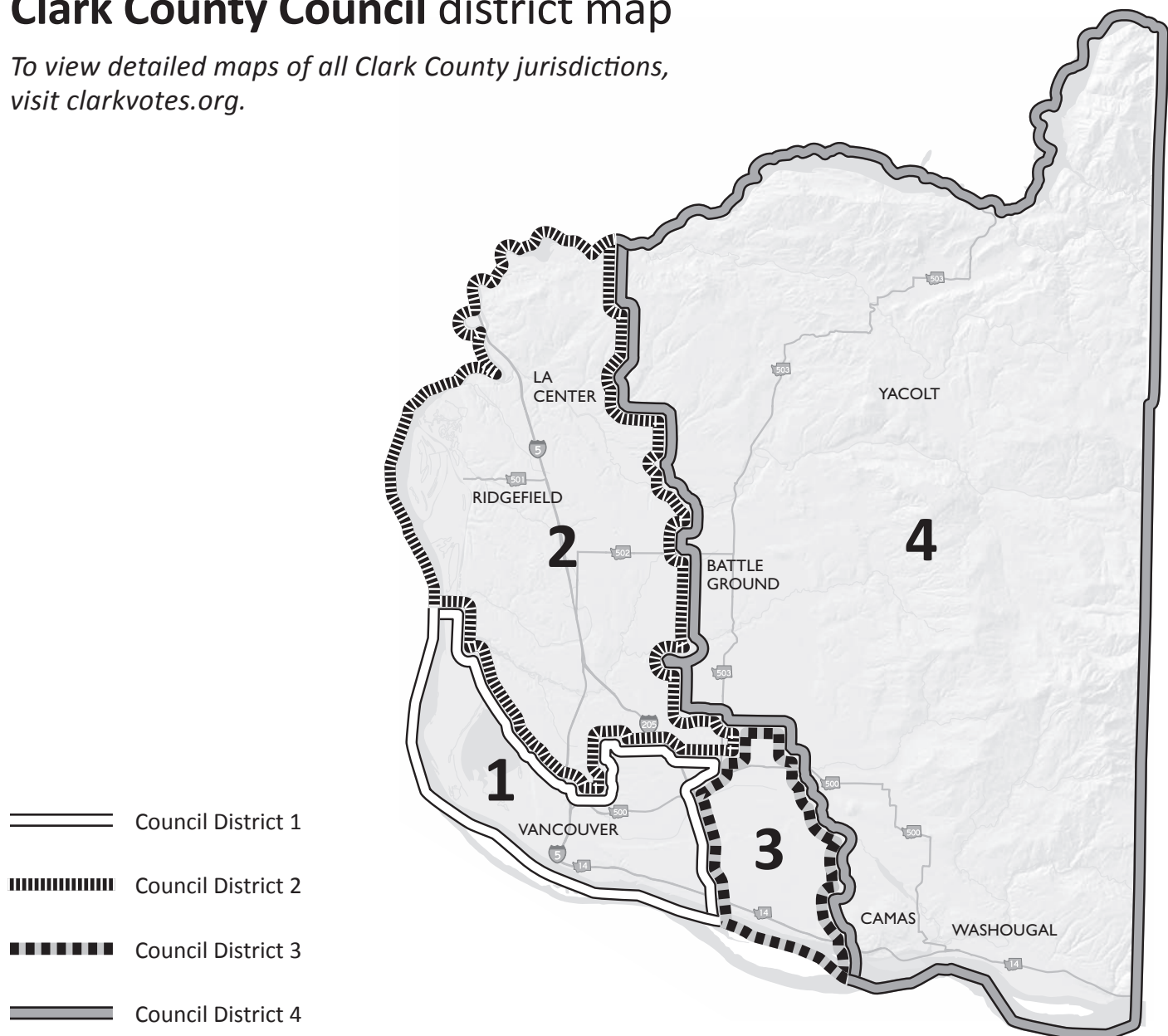
Are you wondering which jurisdictions you live in?

There are several ways to find out:

- **Log in** to MyVote at myvote.wa.gov to view your personalized voter information
- **Refer** to your voter registration card
- **Visit** clarkvotes.org and click on District Maps in the left-hand column to access maps of every district
- **Contact** Clark County Elections:
564-397-2345
elections@clark.wa.gov

Clark County Council district map

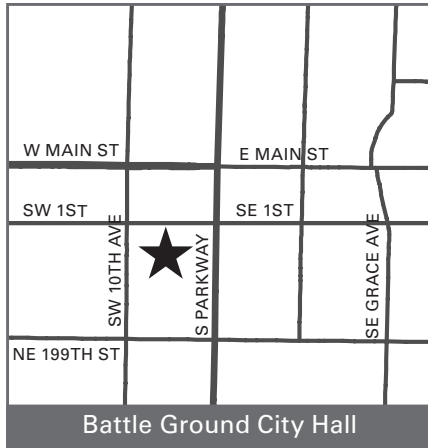
To view detailed maps of all Clark County jurisdictions, visit clarkvotes.org.



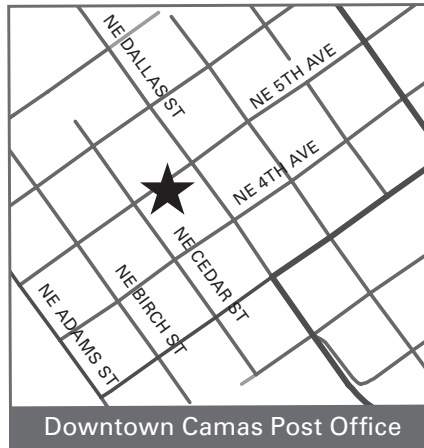
Ballot deposit locations

24-hour drive-up ballot drop boxes

Starting October 19, 2018 until 8 pm Election Day



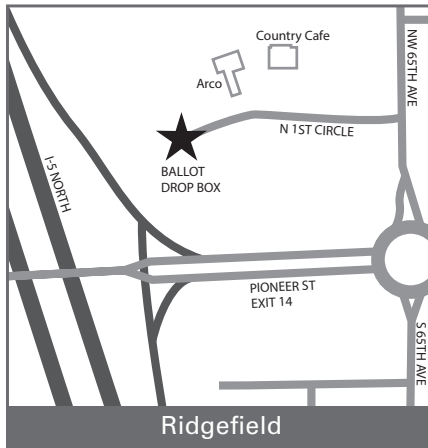
Battle Ground City Hall



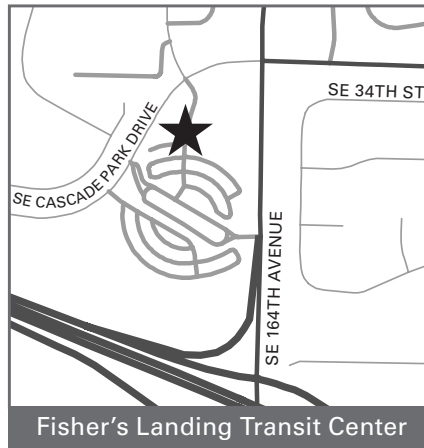
Downtown Camas Post Office



Downtown Vancouver



Ridgefield



Fisher's Landing Transit Center



99th Street Transit Center

7 convenient locations

Battle Ground City Hall parking lot, 109 SW 1st Street, Battle Ground

Downtown Camas Post Office, 440 NE 5th Avenue, Camas

Ridgefield, Pioneer Street exit and east of I-5, at the end of North 1st Circle

Downtown Vancouver, West 14th and Esther Streets

Fisher's Landing Transit Center, 3510 SE 164th Avenue, Vancouver

99th Street Transit Center, 9700 NE 7th Avenue, Vancouver

Vancouver Mall parking lot, SW of Sears near the C-Tran Vine Station



Vancouver Mall

Drive-up ballot drop boxes are accessible and convenient. No postage is needed.

Ballot deposit locations

After November 2, 2018, use a drop box to ensure your ballot is received on time. No postage is needed.

Election Day is Tuesday, November 6, 2018. If you wish to return your voted ballot **in person** take it to one of the following locations beginning October 19 until 8 pm on Election Day.

Clark County Elections Office

1408 Franklin Street, Vancouver

8 am to 5 pm, Monday through Friday

or

A 24-hour drive-up ballot drop box

Election Day ONLY

Election workers will be present to accept completed ballots from 7 am to 8 pm at these locations:

Amboy Middle School 22115 NE Chelatchie Road, Amboy

Burton Elementary School 14015 NE 28th Street, Vancouver

Chinook Elementary School 1900 NW Bliss Road, Vancouver

Clark County Elections Office 1408 Franklin Street, Vancouver

Clark County Fire District No. 3 17718 NE 159th Street, Brush Prairie

Dorothy Fox Elementary School 2623 NW Sierra Street, Camas

Ellsworth Elementary School 512 SE Ellsworth Road, Vancouver

Felida Elementary School 2700 NW 119th Street, Vancouver

Glenwood Heights Primary School 9716 NE 134th Street, Vancouver

Grace Foursquare Gospel Church 717 SE Everett Road, Camas

Hazel Dell Elementary School 511 NE Anderson Road, Vancouver

Image Elementary School 4400 NE 122nd Avenue, Vancouver

La Center Community Center 1000 E 4th Street, La Center

Mill Plain Elementary School 400 SE 164th Avenue, Vancouver

Minnehaha Elementary School 2800 NE 54th Street, Vancouver

Pleasant Valley Middle School 14320 NE 50th Avenue, Vancouver

Salmon Creek Elementary School 1601 NE 129th Street, Vancouver

Sarah J. Anderson Elementary School 2215 NE 104th Street, Vancouver

Sifton Elementary School 7301 NE 137th Avenue, Vancouver

Walnut Grove Elementary School 6103 NE 72nd Avenue, Vancouver

Washougal Community Center 1681 C Street, Washougal

Yacolt Primary School 406 W Yacolt Road, Yacolt

Accessible voting

Using the eSlate

Clark County voters with disabilities have the option of casting their ballot independently using an accessible voting unit.

The eSlate accessible voting unit is a direct-record electronic machine that allows voters with disabilities, including those who are blind, mobility-impaired or lack upper-body dexterity, to vote privately and independently. The eSlate is in a booth that is wheelchair-accessible.

Beginning 18 days before each election, this accessible voting machine is available from 8 am to 5 pm, and on Election Day from 7 am to 8 pm at the Clark County Elections Office, 1408 Franklin Street, Vancouver.

To get to the Elections Office on C-Tran, take bus #25 Fruit Valley and St. Johns Route. The bus stop is located at Franklin Street and Mill Plain Boulevard.



The eSlate unit is in a wheelchair-accessible booth.

Accessible features



- Those who are visually impaired or have difficulty reading can listen to the ballot. The SELECT wheel is the trigger to the audio. Turning clockwise moves the listener through the ballot. To hear something repeated, turn the SELECT wheel counterclockwise. Those using hearing aids with a telecoil mode may use their neckloop rather than the headphones.



- Voters who lack upper-body dexterity can use the jelly switches to move through the ballot. The RED jelly switch is the same as the SELECT wheel. The GREEN jelly switch is the same as the ENTER button.



- Voters with quadriplegia can use their sip-n-puff to vote the ballot. Sip to move through the ballot. Puff to mark your choice.

Voting instructions

Here are a few important reminders to make sure your ballot is counted.

Your ballot packet will be mailed to you approximately 18 days before the November 6, 2018 General Election. It will contain:

- An instruction sheet that explains the voting process
- The official ballot where you will mark your choices
- A yellow secrecy envelope
- A postage-paid return envelope with a green stripe

Mark your ballot by completely filling in the box to the left of your choice with a black or blue ink pen. If you want to vote for a candidate not appearing on the ballot, mark the box to the left of Write-In and use the line provided to indicate your choice. Be sure to mark only one choice for each race or measure on the ballot.

Example:

Candidate 2 has been chosen in the city council race.

One candidate has been marked and the box is filled in completely.

Check your ballot to be sure you have voted for the candidates and measures you intended. Make sure you mark only one response box in each race or measure. If you mark more than one, your vote in that race will not be counted. Your other votes will be counted if they are done correctly.

If you make a mistake marking your ballot, draw a line through the entire candidate's name as shown. You then have the option of marking another choice.

You must sign and date your return envelope in order for your ballot to be counted!

- Sign in the signature box that has YOUR name printed below it.
- Do NOT sign someone else's name, even if you have power of attorney.
- Voting over the phone by having someone else fill out and sign your ballot is against the law. Voters can call the Elections Office at 564-397-2345 to learn about the options for voting while they are out of town.
- Drop boxes are available if you don't want your signature to go through the mail. See pages 64-65 for a complete list of ballot deposit locations.



Follow the instruction sheet included with your ballot to seal, sign, date and return your ballot.

Do your part!

While the Elections Office is continually updating the voter rolls with information from the Department of Licensing, the post office, local obituaries and a monthly public health deceased list, **you can do your part by following these simple steps:**

- **Update your address** with the Elections Office whenever it changes. Address changes can be made online through MyVote, by email, mail or phone.
- If you are a snowbird or a college student and want to set up a **temporary or seasonal mailing address, complete the Temporary Address Change form available online.**
- **Return to Sender!** If you receive a ballot for a person who does not live at your residence, write “Does not live here” on the **unopened** envelope and put it back in the mail. This does not apply to military or overseas voters.
- If you receive a ballot for a **deceased voter**, write “Deceased” on the **unopened** envelope and put it back in the mail. We will research and follow up.

Keeping your information up-to-date with the Elections Office is quick and easy!

clarkvotes.org / elections@clark.wa.gov

PO Box 8815, Vancouver, WA 98666

564-397-2345



Candidate and measure statements are printed exactly as submitted.

Clark County Elections does not correct punctuation, grammar, typos or inaccurate information.

Clark County

Assessor


Peter Van Nortwick
 Prefers Republican Party

Elected Experience Your Assessor since 2011.

Other Professional Experience As a Certified General Appraiser, I am the only candidate with any professional experience appraising your homes, farms and commercial buildings. I am a member of the Clark County Association of Realtors.

Education *Undergrad:* University of Washington *Post Grad:* University of Colorado, Seattle University Graduate Leadership Clark County class of 2010.

Community Service To many young men and woman in the Vancouver School District, I am known as Coach Pete. As a volunteer football coach, I strive to teach the rewards of hard work, sacrifice and achieving more together.

Statement It is an honor to be your Assessor. In 2014, I promised *Better Government, Faster Service* and a *Financially Stronger* office. I am proud to say, "Promises Delivered!"

Better Government- Your Assessor's office has continued to advance technologically. Highlights include Introducing the online personal property tax portal, cutting paperwork in half, and introducing field tablets putting more information into our appraisers' hands, *increasing efficiency.*

Faster Service- New construction is our most labor-intensive work. I am proud to say we are continuing to meet the challenge with new construction being placed on the rolls by the statutory deadlines.

Financially Stronger- The Assessor's office is assessing approximately 5% more properties, with 15% less staff, than in 2009. The new state school tax has added stress to you as well as our office. We are addressing this challenge by informing and educating our tax payers, reaching out to our vulnerable seniors and building stronger relationships with our school districts. I am happy to say; *school tax rates will decrease in 2019.* The Assessor's responsibility is equity not level of taxation. I am providing better government, faster service and financial strength to your Assessor's office. I ask for a Re-Pete!

Phone 360-907-4413

Email friendsopetervannortwick@gmail.com

Clark County

Assessor


Darren Wertz
 Prefers Republican Party

Elected Experience Three terms as Ridgefield City Council.

Other Professional Experience Sr. Economist for NPRDC, and Clark PUD. Land use and Planning Consultant. Real estate Commercial Broker and property/business

valuations – Forrest E Olsen, Coldwell Banker. Comparing appraisals and doing Property valuation/tax appeals – 12 years Clark County Board of Equalization.

Education BA Economics UCSD, MA Economics U of O, 100-500 professional series with IAAO (International Association of Assessing Officers)

Community Service Ridgefield Planning Commission, Fort Vancouver Regional Library Board, East Vancouver Rotary, American Legion Post 44, Columbia Council BSA, Mt. Hood Ski Patrol, CREDC Board.

Statement We live in the best part of the best country in the world. We run government services off of property taxes. Owning property is a right we enjoy, an expression of individual independence and part of being a good citizen. It is time our interests were better represented in the government that lives off of us.

If you elect me you will put a member of the taxpayer team with taxpayer views in the game. We will have some say, rather than just pay the rent.

I will ensure that the legislated roll back of property taxes next year is fairly distributed. I will institute policy and propose legislation where necessary to: 1. Keep people from being taxed out of their homes 2. Encourage remodel and upgrade of existing structures 3. Reduce the impact of development on surrounding properties.

Do you honestly agree with your property valuation? Think your taxes are fair? If not, can you do anything about it? You can vote. It is time for a change. Put a fresh perspective in county government. Vote for me Darren Wertz for Clark County Assessor.

Email electwertz@gmail.com

Website Wertz4U.com

Clark County

Auditor



Greg Kimsey

Prefers GOP Party

Elected Experience Clark County Auditor

Other Professional Experience

Chief Financial Officer, Vancouver Oil Company; Vice President Investment Banking, U.S. Bancorp; Carpenter's Apprentice United Brotherhood of

Carpenters, Local 1715; Salesperson, Bob Kendall Chevrolet

Education Chartered Financial Analyst, Institute of Chartered Financial Analysts; M.B.A., Portland State University; B.A. Business Administration, University of Washington; Columbia River High School, Vancouver Public Schools

Community Service Past board member Columbia Arts Center, YMCA, YWCA, founding board member Columbia Land Trust; current member of Vancouver Rotary and Vancouver Public Schools' Management Advisory Task force, currently serving as a Vancouver Housing Authority commissioner

Statement Serving as your County Auditor has been a great honor and privilege. I am dedicated to being a good steward of the public's resources. Since first taking office Clark County's population has increased almost 40% while the number of Auditor's Office employees has decreased 14%.

The 2018 legislative session resulted in significant changes to Washington's elections system. People will soon be allowed to register to vote, and receive a ballot, on Election Day. Certain groups of citizens will be automatically registered to vote and 16 year old citizens may "pre-register." In addition, the state wide voter registration system is being replaced and Clark County has begun the process of replacing its voting system.

As county auditor my most important responsibility is to improve citizens' confidence in their government. Every interaction a citizen has with government is an opportunity to do that. Auditor's Office employees have more direct interactions with citizens than any other county government office.

If re-elected I am committed to addressing these challenges in a way that best serves the long term interests of Clark County residents. I appreciate the confidence voters have had in me. I hope you will consider voting for me this year.

Phone 360-521-6685

Email Greg@GregKimsey.com

Website GregKimsey.com

Clark County

Clerk

**Barbara L. Melton****Prefers Democratic Party****Elected Experience** No prior elected experience**Other Professional Experience**

I have been employed at the Clark County Prosecuting Attorney's Office for 17 years. I am currently President of the Office and Professional

Employees International Union, Local 11. After working with the Clerk's Office as their Shop Steward for more than 12 years, I am familiar with the employees, how the office works, and how it should operate.

Education I have a Bachelor's Degree in English with a formal minor in Digital Technology and Culture and a Professional Writing Certificate from Washington State University.

Community Service No information submitted

Statement The County Clerk's Office serves the public as an administrative and financial officer of Superior Court. My goal for the Clerk's Office is to become more efficient, streamlined, and effective by retaining experienced employees and giving them a voice in their jobs, thereby creating a healthy work environment where staff thrive and are able to focus their attention on their number one priority, the customer.

I have worked closely with the Clerk's Office for over 12 years and am familiar with the functions of the office and its employees, and am committed to improving the service and efficiency of the courts for the public, as well as the morale and quality of life for the employees in the Clerk's office.

I look forward to the opportunity to serve you as Clark County Clerk and appreciate your vote.

Phone 360-695-0216

Email blm4ccc@gmail.com

Website blm4ccc.wix.com/ElectBarbaraLMelton

Clark County

Clerk

**Scott G Weber****Prefers Republican Party****Elected Experience** Elected Clark County Clerk 2010; Re-elected Clark County Clerk 2014**Other Professional Experience**

Prior to being elected County Clerk, Scott successfully worked in manufacturing and implemented lean

manufacturing techniques for 12 years. In the private sector, being more cost-conscious and applying lean manufacturing techniques is imperative, especially in today's economy.

Education Degree in Applied Arts and Sciences

Community Service Veterans Court Board member; Treasurer of the Washington State Association of County Clerks; Evergreen School District Truancy Board member

Statement I have been honored to serve as your County Clerk for the past eight years.

The County Clerk is an elected position created under the Washington State Constitution and is the administrative and financial officer for the Superior Court. The Clerk receives, processes and preserves all documents in perpetuity for all Superior Court actions, including criminal, civil, family law, probate, guardianship, paternity, adoption and juvenile matters. The Clerk must be independent to maintain the integrity of court records.

It is my mission to serve the courts and the citizens of Clark County to provide quality, efficient, and effective service. Public officials and employees must have the highest standards of excellence, integrity, and fairness. During my time in office, I have made significant positive changes, resulting in better, and more responsive customer service including the collection of restitution for crime victims. We have provided real-time public access to documents and electronic filing---saving citizens legal costs. Ensuring that court records are open and accessible is an essential function of the Clerk's office.

Thank you for your vote and your support.

Phone 360-607-9813

Email friendsofscottweber@gmail.com

Website weber4clerk.com

Clark County

Council Chair (At-Large)



Eileen Quiring

Prefers Republican Party

Elected Experience Clark County Council, District 4, - 2016-Present; State Representative (Oregon) – 1995-1997; State Senator (Oregon) – 1997-2001 (Majority Whip)

Other Professional Experience

Small Business Owner/Employer;

Executive Director, Randall Charitable Trust; Real Estate Broker and Appraiser

Education Battle Ground High School; George Fox University, B. A. – (Distinguished Alumna of the year – 1998)

Community Service Clark County Planning Commission, '12- '16; Board of Equalization, Clark County, 2015; Board Member & Chair - PRC of Greater Portland (Crisis Pregnancy Centers) '01-'05; Board Member, Portland Rescue Mission '01-'04; Board Member, Portland Metro Police Chaplaincy '04-'06

Statement Raising taxes is not the solution! I was the only “no” vote when the county voted to raise your taxes. We knew taxpayers would be hit with a big statewide tax hike and the Council should not have added to that burden.

Citizens should have an opportunity to work where they live. I’m working hard to promote policies that attract job creators, not drive them away. More than 70,000 people cross the river to go to work. I’m against tolls and fought for a place at the table to protect you against Oregon’s tolling scheme.

I stand on principles of small government that operates within a reasonable budget, ensuring public safety, and protecting our most vulnerable citizens. I support: lower taxes, maintaining vital county services, implementing additional transportation infrastructure to manage our growth and sensible land use policies that will protect and restore the property rights of our rural and urban landowners.

We’re blessed to live in beautiful Clark County, my childhood home. My voting record is proof I’m a trustworthy, principled leader. I say what I mean, and I mean what I say. You deserve a County Chair who puts your interests first! I humbly ask for your vote.

Phone 360-606-0151
Email eileen2q@hotmail.com
Website ElectEileenQ.org

Clark County

Council Chair (At-Large)



Eric K. Holt

Prefers Democratic Party

Elected Experience 2011-2013 Shop Steward Teamsters local 162; 2016 PCO (precinct committee officer) 610; 2017 Western Washington Vice Chair WSPC; 2018 PCO 610

Other Professional Experience

1998-2013 Professional Truck Driver;

2013-2015 Transportation/Logistics Management; 2015-Present Safety and Operations Manager (Mining industry)

Education 1991 Pine View High School Washington County, Utah; 2002-2004 Salt Lake Community College; 2014-2018 Western Governor’s University B.S. Business Administration

Community Service Volunteer Park Clean-up -Clark County; WTA Trails volunteer; Free and Accepted Masons of Utah; Freemasons of Washington

Statement It’s time for a fresh face and effective leadership. The people of Clark County deserve better. I would be honored to have your support as Council Chair because we deserve better representation, better transportation, more living-wage jobs, and the preservation of agricultural lands.

Too many residents and businesses are tired of Olympia raising regressive taxes and misplaced priorities. All these policies do is drive jobs and spending across the river, instead of here at home. We need a Council Chair who will be a strong advocate for all people of Clark County, not special interests.

I dream of a County with roads, bridges, and a transportation infrastructure that is the envy of the west coast. I envision a County that provides a voice to the voiceless, that works to make life better for all of us, and a Council that puts people first.

My wife and I moved to rural Clark County 8 years ago because we wanted a better opportunity for our children. We have been waiting for an effective County Council that represents us but that has never happened. I’ll be your advocate on the Council as we work together to reflect the will of the voters.

Phone 360-798-3180
Email e.k.holt@outlook.com
Website erickholt.com

Clark County

Councilor, District No. 1

**Temple Lentz**

Prefers Democratic Party

Elected Experience Clark County Freeholder, Precinct Committee Officer**Other Professional Experience**

Business Director, Cascade Sotheby's International Realty; Executive Director, Parks Foundation of Clark County; Host, Hello Vancouver!;

Partner, High Five Media; Executive Director, Rotary Festival of Trees; Communications Director, AFT Healthcare

Education University of Chicago BA, Honors; Portland State University Certificate in Nonprofit Fundraising; Leadership Clark County**Community Service** Present: Clark County Commission on Aging, Friends of the Columbia Gorge, Hough Foundation; Past: Vancouver Parks and Recreation Advisory Commission, Clark County Parks Advisory Board, Vancouver Charter Review Committee, Leadership Clark County, KXRW Radio, Arts of Clark County, Rose Village Neighborhood Assn., Evergreen School District Foundation**Statement** Now is a crucial time for Clark County: we need leaders who will take an active role in shaping our future. The economy has rebounded, many businesses are growing, and unemployment is the lowest in years. Even so, an increasing number of our neighbors are struggling to make ends meet; our housing supply can't keep pace with demand; and voters have grown tired of entrenched, lifelong politicians who don't deliver results. We need smart, dedicated leaders who are actively part of our community, working collaboratively to represent *all* of us.I have spent years working directly with local citizens, nonprofits, and businesses to make our home a better place. I look forward to the opportunity to use my skills, experience, and diverse relationships to build a strong future for Clark County. Together, we can create and implement a vision that meets current needs and *also* serves future needs of our children and grandchildren.

I am not a career politician; I'm a dedicated, active community member with a record of bringing the community together and getting results. My direct phone number and email address are listed below. Please contact me with any questions. I ask for your vote.

Phone 360-798-0043**Email** campaign@votetemplelantz.com**Website** VoteTempleLentz.com

Clark County

Councilor, District No. 1

**Jeanne E. Stewart**

Prefers Republican Party

Elected Experience Currently: Clark County Councilor, District 1 (2014 to current); *Formerly: Vancouver City Council (2001-2013)***Other Professional Experience**

US Bancorp for 13 years- Audit Division; Operated small family business for 29 years.

Education Education and background: accounting, finance and audit; Associate Degree in Arts and Science from Clark College (with Honors) Continuing credits: Portland State University.**Community Service** Chair, Vancouver Neighborhood Alliance; Vancouver School District Committees; Cub Scout Pack 326, Lincoln Elementary School, Coordinator, Neighbor To Neighbor Program, Carter Park NA; Vancouver Planning Commission, Vice Chair: Wellhead Protection Ordinance; Tree Preservation Ordinance; Archaeological Protection Ordinance; Solid Waste Advisory Commission (Lifetime Achievement Award)**Statement** We are one County! The Charter districting process did not change that. We successfully work to put the interests of the citizens ahead of our district boundaries or politics.

Strong and safe neighborhoods, safe schools, safe neighborhood streets and highways, creation of good jobs through economic development, improving major transportation systems and public transit, additional crossing capacity of I5 and I205 to reduce bottle necks including a third crossing of the Columbia River, safety improvements on SR 500, and keeping taxes managed by carefully prioritized spending-all common goals!

Still, District 1 has some unique problems related to the higher population density. Even, as the economy grows and more jobs are available, homelessness is increasing and has become epidemic. The root causes are frequently related to substance abuse and mental health issues which are identified when law enforcement intervenes with an arrest. To break this cycle, we need to improve access to substance abuse treatment and mental health services, and improve access to temporary housing, and improve access to job training and education.

These common challenges require us to act as regional partners. Stewart has dedicated 19 years of service to our community. She asks for your vote.

Phone 360-695-5154**Email** stwjevanc@aol.com**Website** JeanneStewart.org

Clark County

Councilor, District No. 2



Julie Olson

Prefers Republican Party

Elected Experience Ridgefield School Board of Directors 2005-2013 Clark County Council District 2 2016-present

Other Professional Experience 1997-2016 Small Business Owner, National Sales Manager Thompson Scientific, Sales Director Nurnberg Scientific, Region Sales Manager VWR

Education BS: Microbiology University of Idaho

Community Service Board of Health, Columbia River Economic Development Council Executive Board, Workforce Southwest Washington Executive Board, Council for the Homeless, Regional Transportation Council, Discovery Clean Water Alliance, Urban County Policy Board, Fair Site Management Board Liaison, Elder Justice Council, Greater Parks District Board, Board of Health EMS District #2, Schools Advisory Council. January 2018 gubernatorial appointment to the statewide *Forensics Investigations Council*.

Statement I love Clark County! It has been a great privilege and honor to serve as your first District 2 Clark County Councilor. Whether it is responding to those who call or email my office for assistance or working on policy to help better our community, I am proud of the work I have done in this district and I am excited about what I know we can accomplish together in the future.

I will continue bring a strong, independent voice to the Clark County Council. At a time when our county is growing steadily in an improving economy, it's important to stay focused on economic development opportunities to grow jobs in Southwest Washington with a careful eye on fiscal responsibility. Taxpayers *deserve* thoughtful consideration about how their tax dollars are spent as the county provides regional services including public safety, mental health services, a court system, public health services, regional parks, land use planning and important transportation infrastructure.

I will continue to be a champion for our district. I understand the value of collaboration and community involvement and I'll continue that leadership style if elected to a second term. I will be honored to earn your vote!

Phone 360-609-3145
Email julie.olson@comcast.net
Website votejulieolson.com

Clark County

Councilor, District No. 2



Elisabeth Veneman

Prefers Republican Party

Elected Experience Currently not elected.

Other Professional Experience Homeschooling mom of two boys! I worked on the 2016 Ted Cruz primary campaign, County Chairwomen for the Marty McClendon campaign, County

Chairwomen the Just Want Privacy campaign and worked on various other local campaigns.

Education Astoria High School, Finnish language course at Clatsop Community College, student of American history.

Community Service Volunteer at Fort Vancouver National Historic Site/costume history interpreter, past local Cub Scout Leader, volunteer at The Living Room/Living Ranch Ministry, participant in various local 5k races for charity, member at George Washington's Mount Vernon, member at the Ronald Reagan Presidential Library.

Statement Our forefathers envisioned America as a shining city set upon a hill, I believe that vision begins to take shape in our local communities where hardworking people contribute to that American dream. Too often politicians promise to help their community, but once elected they fall short and fail the very people that elected them.

My name is Elisabeth Veneman and I will put citizens first. I am not a politician but rather a hard working mom in this wonderful community that I am blessed to call home. Clark County is a growing community, with vast opportunity for living wages jobs for which it has been lacking. I want a lower taxed, fireworks friendly, free parking at County Parks, Clark County.

I have spent a lifetime loving this country that God has given us. A country which was hard fought for, and won by men and women that have taught me so much about what it means to be a good steward of their sacrifices. These principles begin at home in beautiful Clark County Washington, where I humbly ask for your vote so that I can put you first.

Phone 503-956-8826
Email voteveneman@gmail.com
Website voteveneman.com

Clark County

Prosecuting Attorney

**Tony Golik**

Prefers Democratic Party

Elected Experience Elected to serve as Clark County Prosecuting Attorney 2011-Present

Other Professional Experience

Deputy Prosecutor 1996 - 2010. Experience in all types of cases. Ten years assigned to Major Crimes teams

specializing in Class A felony cases and homicide prosecutions. Board Chair Children's Justice Center, Board Co-Chair Clark County Juvenile Justice Counsel, Executive Board Chair Clark County Regional Drug Task Force.

Education Bachelors Degree, Administration of Justice, Portland State University. Law Degree, Gonzaga University.

Community Service Founding member and Board Chair of the Clark County Elder Justice Center. Member, Washington State Sentencing Guidelines Commission. Volunteered for and support numerous community non-profits.

Statement It is a great honor to serve as your County Prosecutor. We have a talented team of people in your Prosecutor's Office who work hard to ensure our community remains safe and prosperous. Our team provides expert and compassionate service. Ethics and professionalism are the cornerstones of our office.

Community safety and positive outcomes at times can be best achieved without resorting to incarceration. As such, we have made strides in keeping youth in community programs where incarceration is not appropriate. Likewise, we have done good work to deliver appropriate treatment to those who suffer from mental illness by implementing a new felony level Mental Health Court. These innovative programs work to protect victims, deliver needed treatment, and reduce crime rates in our community.

Protecting kids with our Children's Justice Center and protecting seniors with our Elder Justice Center are hallmarks of my work as your prosecutor. I will always strive to ensure our community is safe, justice is served, and people are treated fair and with respect.

Thank you for trusting me to serve as your Prosecutor. I respectfully ask for your vote to continue to serve our community.

Phone 360-921-4749

Email golikcampaign@gmail.com

Website electgolik.com

Clark County

Sheriff

**Chuck E. Atkins**

Prefers Republican Party

Elected Experience Clark County Sheriff, 2015 - Present.

Other Professional Experience

I have 40 years of experience with the Clark County Sheriff's Office starting as a deputy sheriff in 1977.

During my career I have been a DARE officer, K-9 handler, patrol sergeant, precinct commander, SWAT commander, assistant chief, and now serve as your elected Clark County Sheriff.

Education Columbia River High School ('72) and graduate of the FBI National Academy.

Community Service Longtime volunteer with Teach One to Lead One.

Statement It's been an honor to serve as your elected sheriff. During my first term I have worked hard to keep our community safe and to provide our first responders with the tools they need to do their jobs professionally, efficiently, and competently. I am very proud that in my first term as sheriff, the Clark County Sheriff's Office earned national Accreditation with Excellence from the Commission on Accreditation for Law Enforcement.

Of critical importance to me is preserving law and justice funding. All counties in Washington state face a structural deficit in which revenues do not keep pace with expenses. I strongly believe law enforcement and corrections is a mandatory function of county government and must be properly funded. Our citizens have every right to live in a safe community and this requires our first responders be fully funded. I will fight to preserve that funding.

Thank you all for your continuing support. I look forward to serving you as your elected Clark County Sheriff over the next four-year term.

Phone 360-601-9019

Email chuck@atkinsforsheriff.com

Website atkinsforsheriff.com

Clark County

Treasurer

**Alishia Topper****States No Party Preference****Elected Experience** Councilmember, City of Vancouver (2014 – Present).**Other Professional Experience**

Clark County Treasurer's Office, Tax Services Manager; Government Finance Officers Association, Member; Washington Finance Officers

Association, Member; Washington Public Treasurers Association, Member; State of Washington Notary Public Appointment; Columbia Credit Union, Vice Chair Board of Directors; Washington State Housing Finance Commission, Commissioner; Vancouver Public Schools; Fort Vancouver National Trust.

Education Master of Public Administration, Portland State University; Bachelor of Science in Psychology; Bachelor of Arts in Foreign Languages and Literatures, WSU- Pullman; Graduate Battle Ground High School.**Community Service** Southwest Clean Air Agency, Vice Chair Board of Directors; Institute of Portland Metropolitan Studies, Board of Directors.**Statement** Alishia has the experience it takes to be *your* county treasurer! Alishia stands for financial integrity, accuracy, and accountability in every transaction. Her time as a City Councilmember, Board Vice Chair of Columbia Credit Union, treasury professional, Commissioner of Washington State's Housing Finance Authority, and public administrator—establishes her as the only candidate with *both* treasury experience *and* a public service record of maintaining the citizens' trust.

Alishia's experience includes managing the collection of \$792 million in property taxes and assessments annually for the Clark County Treasurer's Office. She helps govern more than one billion in assets as Vice Chair of Columbia Credit Union. If elected, she will administer the County's investments and banking with full accountability and transparency. Most importantly, Alishia will continue to safeguard our tax dollars, commit to invest wisely for positive returns, and make sure Clark County always follows financial best practices.

In her first year, Alishia commits to upgrade payment technologies and enhance customer service by administering and advocating for fair and efficient tax laws. Under her watch, she will guarantee payments are processed timely and accurately.

Alishia would be honored to be the steward of your tax dollars. Vote Alishia Topper!

Phone 360-521-8295
Email topper@electtopper.com
Website electtopper.com

Clark County

Treasurer

**Robert Hinds****States No Party Preference****Elected Experience** Chair – Clark County Historic Preservation Commission 2014-present**Other Professional Experience**

Market Analysis and Strategy Manager - HP Inc (current); Finance Manager/ Business Partner - Nautilus; Senior

Internal Auditor – Freightliner (DaimlerChrysler); Financial Analyst – Excite.com; Financial Analyst – Toyota Corolla (Toyota NUMMI plant)

Education Master of Business Administration – Washington State University; Bachelor of Sciences in Psychology, Economics, Finance – University of Oregon**Community Service** Random acts of kindness helping at risk youth, homeless, injured animals, beach clean ups, protecting old growth forests, etc. Organized lectures held at Oregon Historical Society and Clark County Historical Museum. Serve on Historic Preservation Commission.**Statement** I am an MBA and fiscal conservative with over 20 years of finance and management experience in some of the world's leading companies like HP, Nautilus, Daimler, and Toyota. I have learned best practices in financial analysis, treasury, audit, information systems, strategic planning, government reporting, and management. My direct responsibilities have included working with budgets and accounting for more than \$3 billion in annual revenues. I have also worked in small business and start-up firms.

For the last four years I have served as Chair of the Historic Preservation Commission in Clark County, which performs a judiciary role in local government. During this time, the HPC won a state award for excellence in education and has used a small budget and grant funds to protect and promote our historic assets. Now I am offering my business experience to public service.

We do not need to bring partisan politicians to the treasurer's office. I will honor my fiduciary role to all taxpayers by making our treasury more efficient, technologically secure, and transparent with advanced analytics and customer service.

Vote for the most experience and financial expertise to manage the county treasury, not political bureaucracy. I'll be honored to serve.

Phone 360-839-7021
Email Hinds4Treasurer@yahoo.com
Website Hinds4Treasurer.com

District Court

Judge, Department No. 1

**Kristen L. Parcher**

Legal/Judicial Experience Judge Kristen Parcher has served in her current position as District Court judge for over a year and prior to that served as Court Commissioner since 2011. Prior to taking the bench she worked as an attorney providing indigent defense and in family law practice.

Other Professional Experience Former board member/president Clark County Volunteer Lawyers Program; member/board member American Inns of Court; CLE instructor for Clark County Bar Association.

Education University of Oregon School of Law; Washington State University; Whitman College.

Community Service Vancouver Sunrise Rotary; 100 Women Who Care SW Washington; PTO.

Statement I am honored to serve our community in this capacity. As an attorney providing indigent defense and pro bono work I learned the importance of access to justice for all members of our community. In my time on the bench both as court commissioner and judge I have worked hard to serve those that appear in front of me always aware that my decisions impact their lives. In my position I consistently strive to maintain the independence and the integrity of our judiciary. I will continue to perform my duties with fair and impartial application of the law and with respect to the people of this county.

Email kparcher@comcast.net

District Court

Judge, Department No. 2

**Chad E. Sleight**

Legal/Judicial Experience Clark County District Court Judge March 2017-present; Pro Tem Judge Clark County District Court April 2013-February 2017

Other Professional Experience Attorney at Law May 2004-March 2017

Education Willamette University-Juris Doctorate 2003; Western Washington University-Bachelor of Arts in Political Science 2000; Camas High School 1996

Community Service Clark County Volunteer Lawyers Program Board Member

Statement Judge Sleight was appointed to the District Court Bench by the Clark County Council in February of 2017. He also served as a Pro Tem Judge for District Court beginning in 2013.

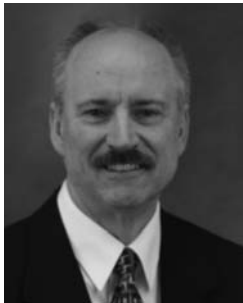
Prior to taking the Bench, Judge Sleight served as the City Prosecutor for Battle Ground, Ridgefield, and La Center, and was a partner in a law firm where he focused his practice on criminal defense cases. He is a past-President of the Clark County Bar Association, and currently sits on the Board of the Clark County Volunteer Lawyers Program.

He was born and raised in Clark County.

Email chad.sleight@yahoo.com

District Court

Judge, Department No. 3



Darvin J. Zimmerman

Legal/Judicial Experience Clark County's Senior District Court Judge

Other Professional Experience Juvenile Corrections Officer, Legal Aid Advisor, Civil and Criminal Prosecutor, Pro Tem Judge for Superior Court.

Education Honors graduate with double major. Master's Degree from Gonzaga School of Business and Law Degree from Gonzaga University.

Community Service Chosen twice as volunteer of the year – SHARE and Coalition of Neighborhood Associations. Boards for the Handicapped and Mental Illness, Hospice, Special Olympics, Scouting and Blind School volunteer. He has coached and officiated youth sports for over 30 years. His most recent endeavor is helping Veterans through a non-profit he started.

Statement Known for his tireless energy and friendly demeanor, he was first elected with nearly 70% of the vote. He has been appointed to several State Judicial Committees and has served as a Mentor Judge, training newly elected Judges statewide. He has taught college law courses and is a frequent lecturer in the community.

As a former prosecutor for 10 years, he received law enforcement commendations at local, state and national levels, including winning a landmark case in the Supreme Court on Victims' Rights.

In 2012 Judge Zimmerman was chosen as Access to Justice's Statewide Judge of the Year. In 2013 he was awarded the Local Hero Award by the State Bar Association in recognition for his work in establishing the Clark County Veterans Therapeutic Court. Also was awarded the first ever Star Award by the Clark County DUI Traffic Safety Task Force for exceptional community leadership in the field of traffic safety.

Judge Zimmerman continues to create innovative programs and ideas that have been implemented in other courts around the country. He has previously been selected to represent the entire judiciary of Washington for the American Judges Association and has served as a guest speaker for their national education conference.

Phone 360-892-0059

District Court

Judge, Department No. 4



Sonya Langsdorf

Legal/Judicial Experience Elected Clark County District Court Judge in 2010. District Court's Assistant Presiding Judge; appointed and served as a full-time District Court Commissioner, 2008-2010. Presented on civil litigation at the Washington State Judicial College and the District Court Municipal Judges' Association.

Other Professional Experience Clark County Deputy Prosecuting Attorney for over 13 years: prosecuted criminal cases in District Court, Juvenile Court and Superior Court. Represented Child Support Division handling: paternity establishment, support modification and enforcement.

Education Juris Doctor from Seattle University School of Law; Bachelor of Science, Microbiology from University of Washington

Community Service City of Vancouver Parks & Recreation; Clark County Food Bank

Statement Judge Sonya Langsdorf is honored to currently preside on the District Court bench. She anticipates building on the last eight years of her judicial career, to continue pursuing improvement in court processes and serving the citizens of Clark County. As an engaged member in our community, she understands the impact of her decisions on the lives of people who appear in court, as well as on the public— she undertakes her responsibility thoughtfully and seriously.

Since graduating from Seattle University School of Law, nearly 25 years ago, Judge Langsdorf has dedicated her career to public service, first as a prosecutor for over 13 years followed by an appointment to commissioner. Now an elected judge, she has garnered a well-deserved reputation for being fair, patient and impartial — and, is known for her work ethic, integrity and thorough knowledge of the law.

A Washington native, Sonya has been married 20 years to Vaughn Langsdorf, a lifelong resident of Clark County, where they are raising two children. Judge Langsdorf has the greatest respect for the legal process and is dedicated to faithfully performing the duties of District Court Judge.

Phone 360-750-0058
Email slangsdo@gmail.com

District Court

Judge, Department No. 5

**Kelli E. Osler**

Legal/Judicial Experience Judge Kelli Osler is a dedicated public servant with over 26 years combined judicial and prosecutorial experience. She is currently serving as Presiding Judge of Clark County District Court. Judge Osler also gained valuable trial court and appellate expertise while working as a Deputy Prosecuting Attorney.

Other Professional Experience Judge Osler has presided over Traffic, Domestic Violence, Substance Abuse and Mental Health Courts. She is a current member, past president and vice president of Inns of Court.

Education University of Washington, BA; University of Puget Sound School of Law, JD

Community Service High School Mock Trial judge and rater; Taught Street Law at local high schools.

Statement I look forward to serving the public for another four years. I have enjoyed working with our community partners to provide equal access to justice for all. I am particularly proud of the improvements our Court has made in assisting homeless, mentally ill and drug addicted individuals involved in the criminal justice system. In cooperation with Superior Court, we recently expanded our Mental Health Court to include pre-plea felonies and misdemeanors.

I promise to continue to make well-reasoned decisions after listening and carefully considering all arguments and legal authorities. I will strive to work with other law and justice agencies to find innovative ways to reduce jail, court, and probation costs. Thank you for your continued support.

Phone 360-281-9106

Email kelliosler@comcast.net

District Court

Judge, Department No. 6

**John P. Hagensen**

Legal/Judicial Experience A District Court Judge for over 13 years, Judge Hagensen previously was an elected Port Commissioner and Camas School Board member.

Other Professional Experience Upon becoming a Judge, he brought almost 20 years in prior legal experience in prosecuting, criminal defense and civil law to the bench.

Education A Camas High graduate, Hagensen attended Clark College, and graduated from CWU. He enrolled in the MBA program at Portland State University, and completed law school at Lewis & Clark College.

Community Service He has served the local community as a youth baseball and basketball coach, volunteer firefighter and in various other community organizations.

Statement Judge Hagensen brings to the bench the common sense values he learned growing up in Clark County. Hagensen has a proven record of treating court participants fairly and respectfully, while maintaining a no nonsense approach with criminals.

He has successfully been involved in the therapeutic courts as judge for Domestic Violence, Substance Abuse, Mental Health, and currently serves as judge in Veterans' Court. Judge Hagensen believes those charged with crimes should have the opportunity to make changes to better their individual lives and, as well, to better conform to societal standards.

Married for over 40 years, with four children and four grandchildren, Judge Hagensen is well-grounded. This, along with his years of experience in business, as an attorney, port commissioner, school board member, and now judge for over 13 years, gives Hagensen the broad life and legal background necessary to make sound decisions.

He appreciates your vote.

Phone 360-833-0111

Email jphagensen@aol.com

City of Vancouver

Councilor, Position No. 1



Laurie Lebowsky

Elected Experience Vancouver City Council Position 1, Appointed (2018)

Other Professional Experience Municipal Planner, Clark County, Washington, focusing on transportation, public health, and parks; Over 24 years of city and county planning experience

Education Master's of Urban and Regional Planning, University of Portland; Bachelor's of Arts, Political Science, Michigan State University

Community Service Elder Justice Council, Community Action Advisory Board, Council for the Homeless (Alternate); Chair, Clark County Public Health Advisory Council, 2011-2014; Founding member, Bike Clark County, 2013-2017; Active in NAACP, ACLU, Friends of Trees, and Columbia Riverkeeper; Member, Southwest Chapter of the American Planning Association; Former Shop Steward, AFSCME Local 307

Statement The City of Vancouver has transformational decisions ahead and we need experienced and thoughtful leadership to forge our future. I am that leader, and I have clear and direct goals that represent a comprehensive understanding of our community's expectations. This is *our* Vancouver - a place we are proud to call home - and I am excited to continue working to make our city prosper.

My goals include *Better streets and bridges!* I bring 24 years of experience addressing traffic infrastructure. I'm a professional who knows transportation and have a demonstrated history of success; *Improved public safety!* I'll ensure we have firefighters and police officers who respond when we need them, and arrive in time to help; and *Innovative solutions to our affordable housing crisis!* I'll work to move vulnerable families, seniors, and Veterans who've been priced out of their homes into safe situations. I'm dedicated to making our city a place where people can grow up and grow older with grace.

I'm honored to continue to focus my skills on the many issues our city faces, and am ready to work with partners to bridge gaps to meet our community's goals.

I ask for your vote.

Phone 360-241-7552
Email electlebowsky@gmail.com
Website electlebowsky.com

City of Vancouver

Councilor, Position No. 1



Sarah Fox

Elected Experience President, American Planning Association - SW WA Section; President, Camas Public Employees Association (2012 - 2018)

Other Professional Experience Senior Planner (past 13 years), responsible for review of development permits, zoning amendments, and

assessing environmental impacts for the City of Camas. Vice President of DMS, a local construction company (1997 - 2003). US Army (1991-1997)

Education Masters of Urban and Regional Planning; Bachelor of Arts of Community Development with Minor in International Studies, Portland State University; Defense Language Institute (Military), Monterey; Hudson's Bay High School

Community Service Clark County Historic Preservation Commission Vice-Chair (protecting historic resources); College Housing NW Board of Directors Vice-Chair (nonprofit)

Statement I'm a Vancouver native - literally born on our Main Street. I left to serve my country in the US Army overseas, returning to raise my children here. After my military service I worked in my family construction small business, helping it grow as a trained welder and Vice-President. Later I found a home serving the public as an Urban Planner.

I believe you would find my diverse business, military experience and civil service applicable to the many challenges confronting our city. I'm a thoughtful and well-prepared decision maker with a proven ability to manage complex problems and bring people together. I am passionate about small businesses, like my family's, that are the backbone of our economy. I am intimately familiar with how our government works, including budgeting, management and union activities, and will use that experience to guide our city. As an urban planner, I am also proficient in all aspects of planning, environmental impacts, community and economic development.

I'm running for City Council to make sure that our city remains authentic, unique and vibrant. I will support plans and policies that keep us safe, create jobs and livable wages, maintain our infrastructure, and support our families.

Phone 360-839-5423
Email sarahfox@centurylink.net
Website fox4citycouncil.com

Public Utility District No. 1 of Clark County

Commissioner, District No. 1

**Jim Malinowski**

Elected Experience Clark County PUD Commissioner

Other Professional Experience

31-year Electrical Engineering career with Pacific Gas and Electric Company. Consulting assignments include development of the Grid Code for Indonesia and the Grid and

Distribution Codes for the Philippines. 8 years as the Clark College Power Utilities Technology Instructor.

Education Bachelor of Science in Electrical Engineering, Washington State University; Master of Science in Electrical Engineering, Texas A&M University; Master of Science in Business, Stanford University.

Community Service North Clark Historical Museum President. Member of the Fish First Board, a group working for Salmon and Steelhead recovery in the Lewis River System. Mt Valley Grange Treasurer.

Statement I am proud to have served the customer/owners of the Clark County PUD for the last six years. The PUD has established a record of outstanding customer service which is reflected in ten straight years of receiving the JD Powers rank as highest in customer satisfaction among mid-sized utilities in the West. We also have been able to maintain low and stable electric power and water rates during my term.

Our PUD has a unique public service culture. Our employees are engaged in their community assisting community groups in various ways. Our customer service phone calls are answered promptly by employees who are trained to do everything possible to address customer concerns and service needs.

Our PUD participates in complex west coast energy markets. I have the educational background and professional experience to effectively participate in establishing PUD operating policies. Those policies ensure reliable and low cost electric and water services continue to be provided to you and our local businesses.

I ask for your vote to allow me to continue to represent you on the Clark County PUD Board of Commissioners. Vote for Jim Malinowski for Clark County Public Utility District Commissioner.

Phone 360-247-6404

Email j.malinowski@ieee.org

Website jim-malinowski.com

Public Utility District No. 1 of Clark County

Commissioner, District No. 1

**Sherry Erickson**

Elected Experience None

Other Professional Experience

Business Manager at Erickson Structural Consulting Engineers, Project Accountant at ZGF Architects, Mechanical Designer at PAE Consulting Engineers, Licensed Mechanical Engineer (PE). Professional

Organizations: US Green Building Council, ASHRAE, ASME

Education MBA Washington State University, BS Mechanical Engineering Brigham Young University

Community Service Over the past 22 years living in Vancouver I have volunteered in a variety of capacities including the Vancouver Public Schools, Washington Trails Association, American Red Cross, Boy Scouts of America, Meals on Wheels, Make-a-Wish Oregon, CES Seminary Teacher, Share House, StreamTeam, and various local youth and community events. I have a personal goal to become a Stream Steward.

Statement As commissioner of a public owned utility, my job is to seek input from customers, research relevant issues, and advocate on your behalf. I'll scrutinize financial statements, promote cost-based rates, insist on accurate billing, initiate technology upgrades, hedge risk, and closely monitor performance. As customers, we want reliable distribution, efficient operations and a competent work-force. I have the experience and qualifications to keep our utility on track with operating principles that are important to all of us.

Within its regulatory framework, our utility company can also play an important role in economic development. As the I-5 corridor continues to expand our utility will need to meet the growing demand of residential, commercial and industrial customers. This will require innovative design, advantageous BPA power supply contracts, and strategic energy generation at the River Road Plant to serve our customers without increasing our rates.

I love Clark County and the life we enjoy here. A reliable, responsive, and efficient utility system, which often goes unseen, is an integral part of our economy and way of life. I'll naturally protect our resources by supporting conservation education, renewable energy, consumer incentives, and community involvement.

I would be honored to have your vote.

Email sherryericksonPUD@gmail.com

Website electsherryerickson.com

City of Washougal

Proposition No. 8

Adoption of the Council/Manager Form of Government within the City of Washougal

Shall the City of Washougal adopt the Council/Manager form of government and abandon the Council/Mayor form of government? The adoption of the Council/Manager form of government would not affect the City's eligibility to be governed under Title 35A of the Revised Code of Washington.

- ☐ For Adoption of the Council/Manager Form of Government
- ☐ Against Adoption of the Council/Manager Form of Government

STATEMENT FOR

Earlier this year a group of Washougal citizens (including the undersigned) recommended to the city council that a council-manager form of government is preferable to the present form. Currently, the mayor is the chief executive officer of Washougal, a job which requires a deep understanding of city functions, the expertise to lead a diverse range of individuals, an independent income (or retirement), and enough personal charisma to be elected. There are too few people in our small city who meet all four of these requirements.

With this change, the city would transition to a professional, experienced city manager as the chief executive officer. The city council would establish the goals of the city for the manager and his or her staff to meet and would oversee progress. Our council remains committed to having an elected mayor to represent our city. That person would be the public voice of the city and preside over the city council – but would not be the chief executive. That role would be filled by a manager with appropriate expertise, much as a school district has a superintendent who is guided by a school board.

A further advantage of this form of government: instead of one individual, subject to the pressures (and “financial support”) of powerful interest groups or individuals, the direction of the city would be in the hands of the seven elected officials, rather than a single mayor; thus, less susceptible to outside influence.

We ask that you join us in voting “yes.”

Submitted by:

Charles Carpenter	Washougalchuck@gmail.com
Wayne Pattison	Wlpattison@gmail.com
Donna Sinclair	Historygal517@gmail.com

EXPLANATORY STATEMENT

The City of Washougal is currently a non-charter code city organized under the Mayor-Council form of government as provided in RCW Ch. 35A.12. An elected mayor is the chief administrative officer of the city. Approval of the ballot measure will change Washougal's form of government to a non-charter Council-Manager organization as provided by RCW Ch. 35A.13. As such, the elected council will select a professional manager to be the chief administrative officer of the city. The Council selects a mayor from among the council to serve as the council chair and as the ceremonial head of the city.

No statements were submitted for:

STATEMENT AGAINST

REBUTTAL OF STATEMENT AGAINST

REBUTTAL OF STATEMENT FOR

Green Mountain School District No. 103

Proposition No. 1

Capital Levy to Modernize, Renovate and Improve Green Mountain School

The Board of Directors of Green Mountain School District No. 103 adopted Resolution No. 2018-08, concerning a proposition for a levy for capital improvements. This proposition would authorize the District to levy the following excess taxes, on all taxable property within the District, to modernize, renovate and improve Green Mountain School (upgrading sidewalks, HVAC, lighting, bathrooms, fire alarm, parking lot; replacing roof, windows, doors; renovating cottage; installing covered play area):

Collection Year	Estimated Levy Rate/\$1,000 Assessed Value	Levy Amount
2019	\$1.35	\$250,000
2020	\$1.23	\$250,000
2021	\$1.12	\$250,000
2022	\$1.01	\$250,000
2023	\$0.93	\$250,000

all as provided in Resolution No. 2018-08.

Should this proposition be approved?

☐ Levy...Yes ☐ Levy...No

STATEMENT FOR

Dear Voter: The gem of North Clark County; Green Mountain School (GMS) needs overdue improvements to campus wide facilities including the Cottage Building, Gymnasium, Heating and Ventilation systems, Sidewalks, Bathrooms, Security, Intercom etc. Additionally, a covered outdoor play area is highly desired for our rainy winter season. Currently the gym is the only covered play area making it overwhelming noisy to chaotic.

We the community can be very proud of our district for providing our students the best K-8 education in Clark County. GMS has achieved the *School of Distinction* award five times of which only one other school in the entire state of Washington has accomplished.

GMS has done so all while keeping your tax rate the *lowest* of any district in Clark County. Additionally, the funding allocation GMS receives from the state is set to *drop* under Washington legislative overhaul of school funding. This unfortunately puts GMS on course to very soon be financially insolvent for which your support is very needed to keep GMS alive. Currently GMS is the only school in Clark County without a levy in place. The proposed levy would raise \$1,250,000 over the next four years (2019 – 2023) to fund the above noted campus improvements.

With the future of our students and school in mind, please support the GMS Capitol Levy on November 6th in voting Yes. You may contact me at any time with any questions, concerns or input. Thank you for your continued support of Green Mountain School!

Submitted by:

Hans Schmeusser 360-608-5056
Hanss9210@gmail.com

EXPLANATORY STATEMENT

Green Mountain School serves the community's over 150 students and their families. To address deteriorating infrastructure, outdated educational facilities and student and staff health and safety concerns, the School Board determined that Green Mountain School requires updated sidewalks, HVAC, lighting, bathrooms, fire alarm, parking lot, roof, windows and cottage classroom.

This five-year levy to support the projects would produce \$250,000 each year (2019-2023) at an estimated rate of \$1.35 per \$1,000 of assessed value beginning in 2019, decreasing to an estimated \$0.93 in 2023. When combined with State changes, the total school levy is projected to decrease.

No statements were submitted for:

STATEMENT AGAINST

REBUTTAL OF STATEMENT AGAINST

REBUTTAL OF STATEMENT FOR

East County Fire and Rescue

Proposition No. 2

Multiple Year Levy Lid Lift

The Board of East County Fire and Rescue adopted Resolution No. 241-07172018 concerning a proposition to maintain and adequately fund District operations.

In order to maintain fire protection and emergency medical services and provide for firefighter safety, this proposition authorizes the District to restore its regular property tax levy to \$1.50 per \$1,000.00 of assessed valuation for collection in 2019 and authorizes annual increases of up to 6% for each of the succeeding five years. The maximum allowable levy in 2023 shall serve as the base for subsequent levy limitations as provided by Chapter 84.55 RCW.

Should this proposition be:

☐ Approved ☐ Rejected

STATEMENT FOR

Vote Yes on Proposition 2

East County Fire and Rescue is asking voters to return the fire levy to \$1.50 per \$1,000 of assessed property value. This is the same rate voters approved in 2008.

Emergency call volumes have increased by almost 52% since 2007. More calls mean added costs for personnel, apparatus, equipment, and supplies. In contrast, the fire district is only allowed a one percent revenue increase. This does not even keep up with the cost of inflation which is currently 3-4 percent per year.

East County Fire and Rescue is a good steward of our tax dollars. The district operates under a balanced budget and has passed all independent financial and accountability audits by the state. It saves money to pay cash for emergency apparatus as opposed to financing these purchases, which would cost our community more because of interest payments. Fire district personnel worked hard to improve our community's insurance rating, which reduced premiums for home and business owners.

Funding from this levy lid lift will be used to respond to higher call volumes, improve firefighter training, maintain facilities, and repair equipment and apparatus. These items are also necessary to maintain our community's insurance rating, which affects the insurance premiums that home and business owners pay. Please join us in voting yes for Proposition 2.

Submitted by:

Michelle Eisenbeis 360-607-0682

Michael Taggart

John Straub 360-834-2584

EXPLANATORY STATEMENT

East County Fire and Rescue provides emergency fire protection and medical services to its citizens. If approved by the voters, this proposition will authorize the District to restore its regular real property tax levy rate to \$1.50 per \$1,000 of assessed valuation in 2018 for collection in 2019 (the District currently levies taxes at the rate of \$1.29 per \$1,000 of assessed valuation) and will establish an annual growth rate of up to 6% for following five years. The dollar amount levied in 2023 shall serve as the District's tax levy base and in 2024, absent further voter approval, the tax levy will be subject to the statutory one percent limit.

The District's Board of Commissioners has determined that this proposition is necessary to maintain an effective level of services, fire fighter staffing, equipment and facilities in light of rising costs. Approval of this measure will allow the District to maintain the level of fire protection and emergency medical services provided to its citizens.

No statements were submitted for:

STATEMENT AGAINST

REBUTTAL OF STATEMENT AGAINST

REBUTTAL OF STATEMENT FOR

City of Washougal

Resolution No. 1145

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASHOUGAL PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE CITY, AT THE SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE GENERAL ELECTION TO BE HELD THEREIN ON NOVEMBER 6, 2018, OF A PROPOSITION OF WHETHER THE CITY SHOULD ADOPT THE COUNCIL/MANAGER FORM OF GOVERNMENT AND ABANDON THE COUNCIL/MAYOR FORM OF GOVERNMENT; AND REQUESTING THE CLARK COUNTY AUDITOR TO PLACE THE PROPOSITION ON SUCH GENERAL ELECTION BALLOT.

WHEREAS, RCW Chapter 35A.06 authorizes a non-chartered code city to abandon its plan of government and reorganize under another plan of government, and to pass a resolution requesting that a proposition be submitted to the qualified voters within the City of whether the City should abandon its form of government and reorganize under another plan of government;

AND WHEREAS, a Citizens Government Advisory Committee was appointed by Mayor Molly Coston in March, 2018, and charged with the task of determining whether “this is the right time to look at the next step [Council-Manager form of government] in the professional management of the City of Washougal”;

AND WHEREAS, the Committee received presentations and reviewed information regarding both the Mayor-Council and Council-Manager forms of government during several meetings;

AND WHEREAS, the Committee has unanimously recommended that the City Council place on the special election to be held in conjunction with the general election to be held on November 6, 2018, the proposition to change the form of government of Washougal from Mayor-Council to Council-Manager, pursuant to Washington law;

AND WHEREAS, the City Council received the report of the Committee at its May 14, 2018, worksession and discussed the potential change in form of government;

AND WHEREAS, RCW 35A.06.040 authorizes the City Council to pass a resolution proposing abandonment by the city of the Mayor/Council form of government under which it is operating and adoption of the Council/Manager form;

AND WHEREAS, the City Council has determined that the best interests and general welfare of the City would be served by submitting to the qualified voters in the City of Washougal, the proposition of whether the City should adopt the Council/Manager form of government and abandon the Council/Mayor form of government;

AND WHEREAS, the City Council desires that the special election to be held in conjunction with the general election to be held on November 6, 2018, include on the ballot for qualified voters of the City of Washougal, the proposition of whether the City should adopt the Council/Manager form of government and abandon the Council/Mayor form of government;

AND WHEREAS, if a change in form of government is approved by the voters, the chair of the council (Mayor) would be selected every two-years by the Council from its own membership, pursuant to state law;

AND WHEREAS, RCW 35A.13.033 provides for an alternative means of selecting a chair (Mayor); providing that the city council of a council-manager city may by resolution place before the voters of the city, a proposition to designate the person elected to council position one as the chair (Mayor) of the council;

AND WHEREAS, if a proposition to designate council position one as chair (Mayor) is approved, it would not affect the incumbent in council position one, rather, at the next election for council position one, it would be for chair (Mayor);

AND WHEREAS, the proposition to designate council position one as chair (Mayor) can only be submitted to voters if the form of government is changed to council-manager and cannot be submitted to voters at the same time as the proposition regarding the change in form of government and must be a separate and subsequent proposition;

AND WHEREAS, the City Council has determined that designating council position one as chair (Mayor) is preferable to the Council selecting the chair (Mayor) from its own membership;

AND WHEREAS, if the proposition to change the form of government to council-manager is approved it is the Council’s intention to submit to voters a proposition to designate council position one as chair (Mayor);

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Washougal, Washington as follows:

Section 1. In accordance with RCW 35A.06.040 and .050, RCW 29A.04.330 and other applicable state law, the City Council hereby requests and calls for the Clark County Auditor to include on the ballot for the next special election to be held in conjunction with the general election to be held on November 6, 2018, in the City of Washougal for the purpose of submitting to the qualified voters of the City of Washougal the proposition of whether the City should adopt the Council/Manager form of government and abandon the Council/Mayor form of government.

City of Washougal

Resolution No. 1145

Section 2. It is the intent of the City Council, that if the proposition of whether the City should adopt the Council/Manager form of government and abandon the Council/Mayor form of government is approved, to place on a future general election ballot a subsequent proposition to designate council position one as chair (Mayor).

Section 3. The proposition to be submitted at the election shall be in the form of a ballot title prepared by the City Attorney to read as follows:

Proposition No. 8

Adoption of the Council/Manager Form of Government within the City of Washougal

Shall the City of Washougal adopt the Council/Manager form of government and abandon the Council/Mayor form of government? The adoption of the Council/Manager form of government would not affect the City's eligibility to be governed under Title 35A of the Revised Code of Washington.

- ☐ For Adoption of the Council/Manager
Form of Government
- ☐ Against Adoption of the Council/Manager
Form of Government

Section 4. The City Clerk is authorized and directed to file a certified copy of this Resolution with the Clark County Auditor.

Section 5. If any section, sentence, clause or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution.

PASSED by the Council of the City of Washougal on the 29th day of May, 2018.

City of Washougal, Washington

s/Molly Coston

Mayor, Molly Coston

ATTEST:

s/Jennifer Forsberg

Finance Director/City Clerk

APPROVED AS TO FORM:

s/Kenneth B. Woodrich

City Attorney

Green Mountain School District No. 103

Resolution No. 2018-08

A RESOLUTION OF THE BOARD OF DIRECTORS OF GREEN MOUNTAIN SCHOOL DISTRICT NO. 103, CLARK COUNTY, WASHINGTON, PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE DISTRICT AT A SPECIAL ELECTION TO BE HELD ON NOVEMBER 6, 2018, IN CONJUNCTION WITH THE STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE, OF A PROPOSITION AUTHORIZING AN EXCESS TAX LEVY TO BE MADE ANNUALLY FOR FIVE YEARS COMMENCING IN 2018 FOR COLLECTION IN THE YEARS 2019 THROUGH 2023 IN THE AGGREGATE TOTAL AMOUNT OF \$1,250,000 FOR THE DISTRICT'S CAPITAL PROJECTS FUND TO SUPPORT THE CONSTRUCTION, MODERNIZATION AND REMODELING OF SCHOOL FACILITIES; DESIGNATING THE SECRETARY TO THE BOARD AND SPECIAL COUNSEL TO RECEIVE NOTICE OF THE BALLOT TITLE FROM THE AUDITOR OF CLARK COUNTY, WASHINGTON; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO, ALL AS MORE PARTICULARLY SET FORTH HEREIN.

BE IT RESOLVED by the Board of Directors of Green Mountain School District No. 103, Clark County, Washington, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Green Mountain School District No. 103, Clark County, Washington (the "District"), takes note of the following facts and hereby makes the following findings and determinations:

(a) Student and staff health and safety concerns, deteriorating infrastructure, educationally outdated school facilities and the need to improve operational efficiencies require the District to levy excess property taxes to support the construction, modernization and remodeling of school facilities, all as more particularly defined and described in Section 2 herein (collectively the "Projects").

(b) It appears certain that the money in the District's Capital Projects Fund for the school years 2018-2019, 2019-2020, 2020-2021, 2021-2022, 2022-2023 and 2023-2024 will be insufficient to permit the District to pay costs of the Projects during such school years, and that it is necessary that an excess tax levy of \$250,000 be made in 2018 for collection in 2019, \$250,000 be made in 2019 for collection in 2020, \$250,000 be made in 2020 for collection in 2021, \$250,000 be made in 2021 for collection in 2022 and \$250,000 be made in 2022 for collection in 2023, for the District's Capital Projects Fund to provide the money required to meet those costs.

(c) The District is authorized pursuant to Article VII, Section 2(a) of the Washington Constitution and Revised Code of Washington ("RCW") 84.52.053 to submit to the District's voters at a special election, for their approval or rejection,

the proposition of whether the District shall levy annual excess property taxes to pay costs of the Projects.

(d) The best interests of the District's students and other inhabitants require the District to carry out and accomplish the Projects as hereinafter provided.

Section 2. Description of the Projects. The Projects to be paid for with the excess property tax levies authorized herein are more particularly defined and described as follows:

(a) Modernize, renovate and improve Green Mountain School, including, but not limited to: (1) upgrading and/or improving sidewalks, lighting, bathrooms, the fire alarm system and heating, ventilation and air conditioning ("HVAC"); (2) replacing the roof, windows and doors; (3) renovating cottage instructional spaces; (4) acquiring, constructing and installing a covered play area; (5) resurfacing the parking lot; and (6) making other capital improvements, all as determined necessary and advisable by the Board.

(b) Acquire, construct and install all necessary furniture, equipment, apparatus, accessories, fixtures and appurtenances in the foregoing, all as determined necessary and advisable by the Board.

(c) Pay incidental costs incurred in connection with carrying out and accomplishing the Projects. Such incidental costs constitute a part of the Projects and shall include, but are not limited to: (1) payments for fiscal and legal costs; (2) costs of printing, advertising, establishing and funding accounts; (3) necessary and related engineering, architectural, planning, consulting, permitting, inspection and testing costs; (4) administrative and relocation costs; (5) site acquisition and improvement costs; (6) demolition costs; (7) costs related to demolition and/or deconstruction of existing school facilities to recycle, reclaim and repurpose all or a portion of such facilities and/or building materials; (8) costs of on and off-site utilities and road improvements; and (9) costs of other similar activities or purposes, all as determined necessary and advisable by the Board. The Projects, or any portion or portions thereof, shall be acquired or made insofar as is practicable with available money and in such order of time as shall be determined necessary and advisable by the Board. The Board shall determine the application of available money between the various parts of the Projects so as to accomplish, as near as may be, all of the Projects. The Board shall determine the exact order, extent and specifications for the Projects. The Projects are to be more fully described in the plans and specifications to be filed with the District.

Section 3. Calling of Election. The Auditor of Clark County, Washington, as *ex officio* Supervisor of Elections (the

Green Mountain School District No. 103

Resolution No. 2018-08

“Auditor”), is requested to call and conduct a special election in the manner provided by law to be held in the District on November 6, 2018, in conjunction with the State General Election to be held on the same date, for the purpose of submitting to the District’s voters, for their approval or rejection, the proposition of whether an excess property tax levy for the Capital Projects Fund shall be made annually for five years commencing in 2018 for collection in 2019 on all of the taxable property within the District of \$250,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.35 per \$1,000 of assessed value (such assessed value representing 100% of true and fair value unless specifically provided otherwise by law), in 2019 for collection in 2020 of \$250,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.23 per \$1,000 of assessed value, in 2020 for collection in 2021 of \$250,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.12 per \$1,000 of assessed value, in 2021 for collection in 2022 of \$250,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.01 per \$1,000 of assessed value, and in 2022 for collection in 2023 of \$250,000, the estimated dollar rate of tax levy required to produce such an amount being \$0.93 per \$1,000 of assessed value, all in excess of the maximum tax levy specified by law for school districts without voter approval. The exact tax levy rate may be adjusted based upon the actual assessed value of the taxable property within the District at the time of the levy.

Section 4. Use of Taxes. If the proposition authorized by this resolution is approved by the requisite number of voters, the District will be authorized to levy excess property taxes to pay costs of the Projects, during the school years 2018-2019, 2019-2020, 2020-2021, 2021-2022, 2022-2023 and 2023-2024, all as may be authorized by law and determined necessary and advisable by the Board. Pending the receipt of those taxes, the District may issue short-term obligations pursuant to chapter 39.50 RCW or contract indebtedness pursuant to RCW 28A.530.080. Upon receipt, the District may use those taxes to repay such short-term obligations or indebtedness, all as may be authorized by law and determined necessary and advisable by the Board.

Section 5. Sufficiency of Taxes. If the excess property taxes authorized herein are more than sufficient to carry out the Projects, or should state or local circumstances require any alteration in the Projects, the District may apply such taxes to other capital purposes, or reduce or eliminate the excess property tax levies authorized herein, all as the Board may determine by resolution and as permitted by law.

If the Board shall determine that it has become impractical to accomplish the Projects or any portion thereof by reason of

state or local circumstances, including changed conditions or needs, regulatory considerations, incompatible development or costs substantially in excess of those estimated, or for any other reason determined by the Board, the District shall not be required to accomplish such Projects and may apply the excess property tax levies or any portion thereof to other capital purposes of the District, or reduce or eliminate the excess property tax levies authorized herein, all as the Board may determine by resolution and as permitted by law. In the event that the excess property tax levies authorized herein, plus any other money of the District legally available therefor, are insufficient to accomplish all of the Projects, the District shall use the available money for paying the cost of that portion of the Projects that the Board determines most necessary and in the best interests of the District.

Notwithstanding anything in this resolution to the contrary, the excess property tax levies authorized herein may be used only to support the construction, modernization or remodeling of school facilities.

Section 6. Form of Ballot Title. Pursuant to RCW 29A.36.071, the Clark County Prosecuting Attorney is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

Proposition No. 1

Green Mountain School District No. 103

Capital Levy to Modernize, Renovate and Improve Green Mountain School

The Board of Directors of Green Mountain School District No. 103 adopted Resolution No. 2018-08, concerning a proposition for a levy for capital improvements. This proposition would authorize the District to levy the following excess taxes, on all taxable property within the District, to modernize, renovate and improve Green Mountain School (upgrading sidewalks, HVAC, lighting, bathrooms, fire alarm, parking lot; replacing roof, windows, doors; renovating cottage; installing covered play area):

Collection Year	Estimated Levy Rate/ \$1,000 Assessed Value	Levy Amount
2019	\$1.35	\$250,000
2020	\$1.23	\$250,000
2021	\$1.12	\$250,000
2022	\$1.01	\$250,000
2023	\$0.93	\$250,000

all as provided in Resolution No. 2018-08.

Should this proposition be approved?

☐ Levy...Yes ☐ Levy...No

Green Mountain School District No. 103

Resolution No. 2018-08

Section 7. Authorization to Deliver Resolution to Auditor and Perform Other Necessary Duties. The Secretary to the Board (the “Secretary”) or his designee is directed to: (a) present a certified copy of this resolution to the Auditor no later than August 7, 2018; and (b) perform such other duties as are necessary or required by law to submit to the District’s voters at the aforesaid special election, for their approval or rejection, the proposition of whether the District shall levy annual excess property taxes to pay costs of the Projects.

Section 8. Notices Relating to Ballot Title. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates (a) the Secretary (Tyson Vogeler), telephone: 360.225.7366; fax: 360.225.2217; email: tyson.vogeler@greenmountainschool.us; and (b) special counsel, Foster Pepper PLLC (Jim McNeill), telephone: 509.777.1602; fax 800.533.2284; email: jim.mcneill@foster.com, as the individuals to whom the Auditor shall provide such notice. The Secretary is authorized to approve changes to the ballot title, if any, determined necessary by the Auditor or the Clark County Prosecuting Attorney.

Section 9. General Authorization and Ratification. The Secretary, the District’s Business Manager, the Chair of the Board, other appropriate officers of the District and special counsel, Foster Pepper PLLC, are severally authorized and directed to take such actions and to execute such documents as in their judgment may be necessary or desirable to effectuate the provisions of this resolution. All actions taken prior to the effective date of this resolution in furtherance of and not inconsistent with the provisions of this resolution are hereby ratified and confirmed in all respects.

Section 10. Severability. If any provision of this resolution shall be declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this resolution and shall in no way affect the validity of the other provisions of this resolution or of the levy or collection of excess property taxes authorized herein.

Section 11. Effective Date. This resolution shall become effective immediately upon its adoption.

ADOPTED by the Board of Directors of Green Mountain School District No. 103, Clark County, Washington, at a regular open public meeting thereof, held this 24th day of July, 2018, the following Directors being present and voting in favor of the resolution.

Green Mountain School District No. 103 Clark County, Washington

s/Rick Syring

Chair and Director

s/Cameron Tormanen

Director

s/Joyce Cooper

Director

s/Steven Hoffman

Director

s/Jeff Strong

Director

ATTEST:

s/Tyson Vogeler

Secretary to the Board of Directors

East County Fire and Rescue

Resolution No. 241-07172018

RESOLUTION PROVIDING FOR THE SUBMISSION OF LEVY (GENERAL - MULTI YEAR - PERMANENT)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF EAST COUNTY FIRE AND RESCUE, PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE DISTRICT AT AN ELECTION TO BE HELD WITHIN THE DISTRICT ON NOVEMBER 6, 2018, IN CONJUNCTION WITH THE STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE, OF A PROPOSITION RESTORING THE DISTRICT'S PROPERTY TAX LEVY RATE TO \$1.50 PER \$1,000.00 OF TRUE AND ASSESSED VALUATION AND ESTABLISHING A LIMIT FACTOR OF 106% SUBJECT TO OTHERWISE APPLICABLE STATUTORY LIMITATIONS FOR THE FOLLOWING FIVE YEARS.

Background: WHEREAS, it is the judgment of the Board of Commissioners of the District that it is essential and necessary for the protection of the health and life of the residents of the District that fire and emergency medical services be provided by the District.

WHEREAS, the accelerated demands for, and increasing costs of, providing these services necessitate the continued expenditure of revenues for personnel, operations and equipment at a level that cannot be sustained by the District's regular tax revenue levied at the current rate of \$1.29 per \$1,000.00 of assessed valuation of taxable property within the District as constrained by the one percent limit factor established by RCW 84.55.010.

WHEREAS, the District has previously levied its real property tax at the rate of \$1.50 per \$1,000.00 of assessed valuation of taxable property within the District in 2008.

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the District that the maximum allowable levy in the sixth year of the levy authorized by this Resolution serve as the levy base for purposes of applying the limit factor established by RCW 84.55.010 in subsequent years.

Resolution: NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of East County Fire and Rescue Clark County, Washington as follows:

Section 1. In order to provide fire protection, prevention and emergency medical services in the District, it is necessary for the District to obtain, operate and maintain emergency fire and medical aid vehicles and facilities staffed by properly trained personnel equipped with suitable firefighting and emergency medical equipment.

Section 2. In order to provide the revenue adequate to pay the costs of providing adequate life protection services and

facilities as described in Section 1 and to maintain reserve funds sufficient to assure the continuation of such services, the District shall, in accordance with RCW 84.55.050, remove the limitation on regular property taxes imposed by RCW 84.55.010 and levy beginning in 2018 and collect beginning in 2019, pursuant to RCW 52.16.130, RCW 52.16.140 and RCW 52.16.160, a general tax on taxable property within the District at a rate of \$1.50 per \$1,000.00 of assessed valuation subject to otherwise applicable statutory limits.

Section 3. In order to provide the revenue adequate to pay the costs of providing adequate life protection services and facilities as described in Section 1 and to maintain reserve funds sufficient to assure the continuation of such services beyond 2018, the District has determined that the limit factor for each year shall be 106%. Such percentage shall be used to determine the actual levy rate, subject to the maximum statutory rate of \$1.50 per \$1,000.00 of assessed valuation, in 2019-2023. The funds raised under this levy shall not supplant existing funds used for the purposes described in Section 1.

Section 4. The dollar amount levied in 2023 shall serve as the District's tax levy base for purposes of applying the limit factor established by RCW 84.55.010 in subsequent years.

Section 5. There shall be submitted to the qualified electors of the District for their ratification or rejection, at an election on November 6, 2018, in conjunction with the state general election to be held on the same date, the question of whether or not the regular property tax levy of the District should be restored to \$1.50 per \$1,000.00 of true and assessed valuation in 2018 and be adjusted by 106% for the following five years, subject to otherwise applicable statutory limitations. The auditor of Clark County, as ex-officio Supervisor of Elections, is hereby requested to call such special election, and to submit the following proposition at such election, in the form of a ballot title substantially as follows:

East County Fire and Rescue

Proposition No. 2

Multiple Year Levy Lid Lift

The Board of East County Fire and Rescue adopted Resolution No. 241-07172018 concerning a proposition to maintain and adequately fund District operations.

In order to maintain fire protection and emergency medical services and provide for firefighter safety, this proposition authorizes the District to restore its regular property tax levy to \$1.50 per \$1,000.00 of assessed valuation for collection in 2019 and authorizes annual increases of up to 6% for each of the succeeding five years. The maximum allowable levy in

East County Fire and Rescue

Resolution No. 241-07172018

2023 shall serve as the base for subsequent levy limitations as provided by Chapter 84.55 RCW.

Should this proposition be:

☐ Approved ☐ Rejected

Section 6. In accordance with RCW 84.55.050(1), the ballot measure shall require approval of a simple majority of voters.

Section 7. The Board hereby assigns to the Chief or designee the task of appointing members to a committee to advocate voters' approval of the proposition and to a committee to prepare arguments advocating voters' rejection of the proposition.

Section 8. For purposes of receiving notice of any matters related to the ballot title, as provided in RCW 29A.36.080, the Board hereby designates the Chief or designee and legal counsel as the individuals to whom the County Auditor shall provide such notice.

Section 9. The Chief or designee is authorized to implement such administrative procedures as may be necessary to carry out the directives of this resolution, including modifying the text of the ballot title and any other text, language and/or descriptions relative thereto necessary to conform such ballot title, text, language and/or descriptions to the intent of the parties, consistent with the objectives of this resolution.

Section 10. The Chief, or designee, is hereby authorized and directed, no later than August 7, 2018, to provide to the County Auditor a certified copy of this resolution and the proper District officials are authorized to perform such other duties or take such other actions as are necessary or required by law to the end that the proposition described in this resolution appear on the ballot before the voters at the November 6, 2018 election.

Section 11. If any section, subsection, paragraph, sentence, clause or phrase of this resolution is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this resolution.

Section 12. Any act consistent with the authority and prior to the effective date of this resolution is hereby ratified and affirmed.

Section 13. This resolution shall take effect and be in force immediately upon its passage.

ADOPTED by the Board of Commissioners of East County Fire and Rescue, Clark County, Washington, at an open public meeting of such Board on the 17th day of July 2018, the following commissioners being present and voting:

s/Michael C. Taggart

Commissioner

s/Martha Martin

Commissioner

s/Michael A. Berg

Commissioner

s/Sherry Petty

Commissioner

s/Iliana Ortega

Secretary



How do I read measure text?

Language in double parentheses with a line through it is existing state law; it will be taken out of the law if this measure is approved by voters.

~~((sample of text to be deleted))~~

Underlined language does not appear in current state law but will be added to the law if this measure is approved by voters.

sample of text to be added

Complete Text

Initiative Measure No. 1631

AN ACT Relating to reducing pollution by investing in clean air, clean energy, clean water, healthy forests, and healthy communities by imposing a fee on large emitters based on their pollution; and adding a new chapter to Title 70 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1. FINDINGS AND DETERMINATIONS.** The people of the state of Washington make the following findings and determinations:

(1) The intent of this chapter is to protect Washington for our children, our grandchildren, and future generations by quickly and effectively reducing pollution and addressing its negative impacts.

(2) Fossil fuel consumption and related pollution contribute directly to climate change and the regional effects of global warming, which harm Washington's health, economy, natural resources, environment, and communities. This harm includes, but is not limited to, intensified storms, droughts, sea level rise, increased flooding, more frequent and severe wildfires, and other adverse impacts to forests, agriculture, wildlife, fisheries, rivers, and the marine environment.

(3) Investments in clean air, clean energy, clean water, healthy forests, and healthy communities will facilitate the transition away from fossil fuels, reduce pollution, and create an environment that protects our children, families, and neighbors from the adverse impacts of pollution. Funding these investments through a fee on large emitters of pollution based on the amount of pollution they contribute is fair and makes sense. A pollution fee offsets and alleviates burdens to which those emitters directly contribute.

(4) The transition to the clean energy economy will have tremendous economic and job growth benefits. Washington's tradition of innovation and technology development combined with the funding available under this chapter will

increase economic opportunity, enhance economic and environmental sustainability, and create and support family-sustaining jobs across the state. The business community will play a critical role in leading this transition and in reducing pollution.

(5) Both pollution itself and transitioning to a society that prioritizes clean air, clean energy, clean water, healthy forests, and healthy communities disproportionately impact some people, workers, and communities more than others, including communities within pollution and health action areas. The use of a pollution fee to offset and alleviate those impacts is appropriate to ensure a successful and just transition.

(6) The investments authorized in this chapter constitute the purchase of pollution reduction and the protection of Washington's clean air, clean water, healthy forests, and healthy communities.

NEW SECTION. **Sec. 2. SHORT TITLE.** This act may be known and cited as the Protect Washington Act.

NEW SECTION. **Sec. 3. CLEAN UP POLLUTION FUND.** (1) The clean up pollution fund is created in the state treasury. All receipts collected from the pollution fee imposed by this chapter must be deposited in the fund. The department of revenue is authorized to create subfunds or subaccounts as may be necessary or appropriate to implement the purposes of this chapter. Receipts collected from the pollution fee imposed by this chapter may only be spent after appropriation into the clean up pollution fund.

(2) After reasonable administrative costs:

(a) Seventy percent of total expenditures under this act must be used for the clean air and clean energy investments authorized under section 4 of this act;

(b) Twenty-five percent of total expenditures under this act must be used for the clean water and healthy forests investments authorized under section 5 of this act; and

(c) Five percent of total expenditures under this act must be used for the healthy communities investments authorized under section 6 of this act.

(3) The board may authorize deviation from the allocations in subsection (2) of this section if there are an insufficient number of interested or eligible programs, activities, or projects seeking funding or if the board otherwise determines that variance from the prescribed allocation is critically important to achieve the purposes of this chapter.

(4) Compliance with the allocations required in subsection (2) of this section may be calculated based upon the average expenditures from the fund over any four-year period.

(5) In addition to the requirements of subsection (2) of this section, each year the total investments made under this chapter must meet the following requirements:

(a) A minimum of thirty-five percent of total investments authorized under this chapter must provide direct and meaningful benefits to pollution and health action areas.

(b) A minimum of ten percent of the total investments authorized under this chapter must fund programs, activities, or projects that are located within the boundaries of and provide direct and meaningful benefits to pollution and health action areas. An investment that meets the requirements of both this subsection (5)(b) and of (a) of this subsection may count towards the requisite minimum percentage for both subsections.

(c) A minimum of ten percent of the total investments authorized under this chapter must be used for programs, activities, or projects formally supported by a resolution of an Indian tribe, with priority given to otherwise qualifying projects directly administered or proposed by an Indian tribe. An investment that meets the requirements of both this subsection (5)(c) and of (a) of this subsection may count towards the requisite minimum percentage for both subsections. However, investments under this subsection (5)(c) are in addition to, and may not count towards, the requisite minimum percentage for (b) of this subsection. Programs, activities, or projects for which credits are authorized pursuant to section 4(6) of this act may, but are not required to, count towards the requisite minimum percentage for this subsection (5)(c).

(d) For the purposes of this subsection, “benefits” means investments or activities that:

(i) Reduce vulnerable population characteristics, environmental burdens, or associated risks that contribute significantly to the cumulative impact designation of the pollution and health action area;

(ii) Meaningfully protect the pollution and health action area from, or support community response to, the impacts of climate change; or

(iii) Meet a community need identified by vulnerable members of the community that is consistent with the intent of this chapter and endorsed by the environmental and economic justice panel.

(6) The expenditure of moneys under this chapter must be consistent with applicable federal, state, and local laws, and treaty rights, including but not limited to prohibitions on uses of public funds imposed by the state Constitution.

(7) Public entities, including but not limited to state agencies, municipal corporations, and federally recognized tribes, and not-for-profit and for-profit private entities are eligible to receive investment funds authorized under this chapter.

(8) Funding under this chapter and credits authorized under section 4(6) of this act may be invested in pilot tests and other market and technology development projects that are designed to test the effectiveness of the proposed project, program, or technology.

NEW SECTION. Sec 4. CLEAN AIR AND CLEAN ENERGY INVESTMENTS.

(1) The clean air and clean energy account is created in the state treasury. All moneys directed to the account from the

clean up pollution fund created in section 3 of this act must be deposited in the account. Money in the account must be used for programs, activities, or projects that yield or facilitate verifiable reductions in pollution or assist affected workers or people with lower incomes during the transition to a clean energy economy, including but not limited to:

(a) Programs, activities, or projects that deploy eligible renewable energy resources, such as solar and wind power;

(b) Programs, activities, or projects, including self-directed investments, that increase the energy efficiency or reduce carbon emissions of industrial facilities, including but not limited to proposals to implement combined heat and power, district energy, or on-site renewables, such as solar and wind power, to upgrade existing equipment to more efficient models, to reduce process emissions, and to switch to less carbon-intensive fuel sources, especially converting fossil fuel sources of energy to nonfossil fuel sources;

(c) Programs, activities, or projects, including self-directed investments, that increase energy efficiency in new and existing buildings, with a goal of creating carbon neutral buildings across the state;

(d) Programs, activities, or projects that reduce transportation-related carbon emissions, including but not limited to programs, activities, or projects that:

(i) Accelerate the deployment of zero-emission fleets and vehicles, including off-road and maritime vehicles, create zero-emission vehicle refueling infrastructure, or deploy grid infrastructure to integrate electric vehicles and charging equipment;

(ii) Reduce vehicle miles traveled or increase public transportation, including investing in public transit, transportation demand management, nonmotorized transportation, affordable transit-oriented housing, and high-speed rural broadband to facilitate telecommuting options such as telemedicine or online job training; or

(iii) Increase fuel efficiency in vehicles and vessels where options to convert to zero-emissions, low-carbon fuels, or public transportation are cost-prohibitive and inapplicable or unavailable;

(e) Programs, activities, or projects that improve energy efficiency, including programs, activities, or projects related to developing the demand side management of electricity, district energy, or heating and cooling, and investments in market transformation of energy efficiency products;

(f) Programs, activities, or projects that replace the use of natural gas with gas not derived from fossil fuels, including but not limited to biomethane and synthetic gas. Programs, activities, or projects may include investments that address the incremental cost of nonfossil fuel gas or investments that expand the manufacture or delivery of nonfossil fuel gas;

(g) Programs, activities, or projects that deploy distributed generation, energy storage, demand side management technologies, and other grid modernization projects; or

(h) Programs, activities, or projects that result in sequestration of carbon, including but not limited to sequestration in aquatic marine and freshwater natural resources, agricultural lands and soils, terrestrial, riparian, and aquatic habitats, and working forests. Funding under this subsection (1)(h) may not fund legally required land management responsibilities, such as requirements under the forest practices act or other pertinent land use regulations.

(2)(a) The department of commerce, working with the panels, the Washington State University extension energy program, the department of transportation, and in consultation with the utilities and transportation commission, investor-owned and consumer-owned utilities, and other experts and agencies, and after review of other states' plans to reduce carbon pollution or investment strategies for greenhouse gas reduction, shall develop pollution reduction investment plans and proposed rules that describe the process and criteria to disburse funds from the clean air and clean energy account in compliance with this section. All investment plans and proposed rules required by this subsection must follow this same process.

(i) The department of commerce shall propose and submit to the board for approval an initial investment plan, processes, and procedures for investments made under this section, which the board shall review and approve by January 1, 2020. The investment plan, processes, and procedures govern investments made under this section until the permanent investment plan required by (a)(ii) of this subsection is adopted by rule.

(ii) By January 1, 2022, the department of commerce shall draft and submit to the board a permanent investment plan and proposed rules for the board to review and approve through the rule-making process. Upon adoption of the final rules by the board, the adopted investment plan supersedes the initial investment plan authorized under (a)(i) of this subsection.

(iii) The department of commerce shall propose updates to the permanent investment plan and proposed rules every four years for review and approval by the board through the rule-making process.

(b) The investment plans must prescribe a competitive project selection process that results in a balanced portfolio of investments containing a wide range of technology, sequestration, and emission reduction solutions that efficiently and effectively reduce the state's carbon emissions from 2018 levels by a minimum of twenty million metric tons by 2035 and a minimum of fifty million metric tons by 2050 while creating economic, environmental, and health benefits. The emission reductions to be achieved under the plan should, in combination with reductions achieved under other state policies, achieve emissions reductions that are consistent with the state's proportional share of global carbon reductions that will limit global temperature increases to two degrees centigrade and preferably below one and one-half degrees centigrade.

(3)(a) For investments authorized under subsection (1)(h) of this section:

(i) The department of natural resources shall develop proposed procedures, criteria, and rules for a program to sequester carbon through blue carbon projects.

(ii) The department of agriculture shall develop proposed procedures, criteria, and rules for a program to increase soil sequestration and reduce emissions from the loss and disturbance of soils, including the conversion of grassland and cropland soils to urban development.

(iii) The recreation and conservation office shall develop proposed procedures, criteria, and rules for a grant program that funds projects to prevent the conversion and fragmentation of working forests, farmland, and natural habitats of all types; expands habitat and working forest connectivity; promotes reforestation; funds the acquisition of permanent conservation easements or fee simple title with deed restrictions that result in increased forest carbon sequestration through the implementation of improved forest management practices that safeguard ecological benefits, protect habitat, and provide sustainable jobs in rural communities; and supports management activities that improve landscape-scale ecological functions to protect water, soils, and habitat for fish, wildlife, and plants and reduce potential for emissions of greenhouse gases. The program must prioritize and rank projects that effectively capture and store carbon and provide a diversity of additional ecological benefits.

(b) Procedures and criteria for the programs, activities, or projects created under (a)(ii) and (iii) of this subsection must retain sufficient flexibility to serve as a source of matching funds from other sources and to allow for a portion of the funds awarded to provide for the long-term costs of stewardship obligations on lands protected under those programs, activities, or projects.

(c) The proposed procedures, criteria, and rules for the programs, activities, or projects created under (a)(ii) and (iii) of this subsection must be developed in consultation with the panels and must be submitted to the board for final review and approval by January 1, 2020.

(4)(a) There must be sufficient investments made from the clean air and clean energy account to prevent or eliminate the increased energy burden of people with lower incomes as a result of actions to reduce pollution, including the pollution fees collected from large emitters under this chapter. At a minimum, fifteen percent of the clean air and clean energy account is dedicated to investments that directly reduce the energy burden of people with lower incomes. Additional funds from the clean air and clean energy account must be allocated for program development, recruitment, enrollment, and administration to achieve the intent of this subsection. Investments are in addition to programs, activities, or projects funded through credits authorized under subsection (6) of this section. After the first effectiveness report is issued, the environmental and economic justice

panel may make recommendations to the board on measures to better achieve the intent of this subsection.

(b) The department of commerce or, for credits authorized pursuant to subsection (6) of this section, a light and power business or gas distribution business shall:

(i) In meaningful consultation with people with lower incomes and with the environmental and economic justice panel, develop a draft plan that identifies programs, activities, or projects that achieve the intent of this subsection and maximize the number of people with lower incomes benefiting at levels appropriate to need. The draft plan must be submitted to the board for final review and approval.

(ii) Prioritize programs, activities, and projects that create the following sustained energy burden reductions:

(A) Energy affordability through bill assistance programs and other similar programs;

(B) Reductions in dependence on fossil fuels used for transportation, including public and shared transportation for access and mobility;

(C) Reductions in household energy consumption, such as weatherization; and

(D) Community renewable energy projects that allow qualifying participants to own or receive the benefits of those projects at reduced or no cost.

(iii) In consultation with community-based nonprofit organizations and Indian tribes as appropriate, design and implement comprehensive enrollment campaigns that are language and culturally appropriate to inform and enroll people with lower incomes in the assistance programs authorized under this subsection. The campaign must also inform people with lower incomes of other energy cost reduction programs for which they may be eligible. The campaign should strive to achieve enrollment of one hundred percent of people with lower incomes. The department of commerce may contract with third parties to carry out the requirements of this subsection.

(c) Programs, activities, or projects that count toward the expenditures required by section 3(5)(a) of this act may not be counted toward the minimum expenditures required by this subsection.

(5) Within four years of the effective date of this section, a minimum balance of fifty million dollars of the clean air and clean energy account must be set aside, replenished annually, and maintained for a worker-support program for bargaining unit and nonsupervisory fossil fuel workers who are affected by the transition away from fossil fuels to a clean energy economy. The department of commerce, in consultation with the environmental and economic justice panel, may allocate additional moneys from the fund if necessary to meet the needs of eligible workers in the event of unforeseen or extraordinary amounts of dislocation.

(a) Worker support may include but is not limited to full wage replacement, health benefits, and pension contributions for every worker within five years of retirement; full wage replacement, health benefits, and pension contribu-

tions for every worker with at least one year of service for each year of service up to five years of service; wage insurance for up to five years for workers reemployed who have more than five years of service; up to two years of retraining costs including tuition and related costs, based on in-state community and technical college costs; peer counseling services during transition; employment placement services, prioritizing employment in the clean energy sector; relocation expenses; and any other services deemed necessary by the environmental and economic justice panel.

(b) The department of commerce, in consultation with the environmental and economic justice panel, shall develop draft rules, procedures, and criteria, to identify affected workers and administer this program. These draft rules, procedures, and criteria must be submitted to the board for final review and approval through the rule-making process.

(6)(a) A qualifying light and power business or gas distribution business may claim credits for up to one hundred percent of the pollution fees for which it is liable under this chapter. Credits may be authorized for, and in advance of, investment in programs, activities, or projects consistent with a clean energy investment plan that has been approved by the utilities and transportation commission, for investor-owned utilities and gas distribution businesses, or the department of commerce, for consumer-owned utilities.

(b) Clean energy investment plans must be developed by a qualifying light and power business or gas distribution business in meaningful collaboration with stakeholders, including the board and the panels. The qualifying light and power business or gas distribution business shall solicit public input and submit the clean energy investment plan for review and approval by the commission, for investor-owned utilities and gas distribution businesses, or the department, for consumer-owned utilities.

(c) To receive approval, the clean energy investment plan must:

(i) Identify investments aligned with the pollution reduction investment plan, targets, and goals authorized under and identified in subsection (2) of this section. Eligible investments include:

(A) Those categories listed in subsection (1)(a) through (g) of this section;

(B) A customer education and outreach program to promote widespread participation by consumers and businesses;

(C) The accelerated depreciation of a fossil fuel-fired generator owned by a light and power business, limited to thirty percent of credits authorized under a clean energy investment plan, if:

(I) The accelerated depreciation schedule includes recovery of all plant-in-service costs of the light and power business that owns or controls the plant associated with the fossil fuel-fired generator;

(II) The plant is replaced with renewable resources or de-

mand side resources that emit no greenhouse gases; and

(III) The accelerated depreciation schedule and replacement power plan is included in a clean energy investment plan approved by the commission;

(D) Replacing all or a part of the debt financing portion of a capital investment made in the development of eligible renewable energy resources if doing so lowers the cost of financing and the construction of the capital investment commences after the effective date of this section;

(E) For a qualifying gas distribution business, purchasing alternative carbon reduction units. Alternative carbon reduction units are available only if a gas distribution business demonstrates in its clean energy investment plan that it has pursued all other available investment opportunities. No more than ten percent of the pollution fee owed in a given year may be reduced by purchasing alternative carbon reduction units. A qualifying gas distribution business must demonstrate that any carbon reduction unit it purchased verifiably reduced carbon emissions within the state, created benefits, as defined in section (3)(5)(d) of this act, within pollution and health action areas, and was developed in meaningful consultation with vulnerable populations. Alternative carbon reduction units are available only during the ten years immediately following the effective date of this section;

(ii) Identify sufficient investments to eliminate net increases in energy burden of customers that are people with lower incomes as a result of actions to reduce pollution, including the requirements of this act. At a minimum, fifteen percent of credits must be dedicated to investments that directly reduce energy burden on people with lower incomes. Additional funds must be allocated for program development, recruitment, enrollment, and administration to achieve the intent of this subsection. These investments must be consistent with subsection (4) of this section;

(iii) Demonstrate how the requirements of section 3(5)(a) of this act have been met and the criteria in section 7 of this act, excluding subsection (1)(d) of that section, have been given priority in the development of the plan;

(iv) Describe a long-term strategy to eliminate any fee obligation imposed by this chapter on electricity and minimize any fee obligation on natural gas;

(v) Provide performance metrics, including performance metrics designed to measure pollution reduction achieved, energy burden reduction benefits supplied, and other indicators of progress in achieving the purposes of this chapter. Performance metrics must cover the life of the plan;

(vi) Demonstrate that expenditures in the plan are in addition to existing programs and expenditures necessary to meet other emissions reduction, energy conservation, low income, or renewable energy requirements in the absence of this chapter and incremental to investments or expenditures that the light and power business or gas distribution business would have pursued in the absence of the plan and the requirements of this chapter; and

(vii) Describe methods of addressing shortfalls of previous plans in achieving the requirements set forth in this subsection (6)(c).

(d) The department and the commission may choose to approve the entire plan or only parts of a plan and authorize credits only for the approved segments. The department, the commission, and the board may confer with and provide recommendations to one another prior to the approval of a clean energy investment plan. The department and the commission may make determinations based on the efficacy of the plan, including appropriate comparison to carbon reduction and other outcomes that are projected to be achieved under the state's pollution reduction investment plan developed under subsection (2) of this section, results of the effectiveness report developed under section 12 of this act, and other criteria they adopt.

(e) A light and power business or gas distribution business authorized to receive credits under this subsection must establish and maintain a separate clean energy investment account into which it must deposit amounts equal to the credits authorized under this section. Funds deposited into this account must be expended during the year in which the funds were collected from customers, the preceding year, or any of the three subsequent years, after which they must be remitted to the clean air and clean energy account.

(f) Upon approval of a clean energy investment plan, a qualifying light and power business or gas distribution business must expend moneys from its clean energy investment account in accordance with the approved clean energy investment plan, with the oversight of the commission or department. A light and power business or gas distribution business must submit annual reports to the commission or department that include, at a minimum, the status of the plan and an evaluation of whether its investments have achieved the performance metrics identified in the clean energy investment plan.

(g) If the commission or the department determines that a plan did not meet a performance metric, the commission or department may require the light and power business or gas distribution business to remit remaining credits dedicated for the nonperforming plan or components to the clean air and clean energy account and may deny future plans unless they meet the requirements of this subsection.

(h) To maintain eligibility to receive a credit for fees, a qualifying light and power business or gas distribution business must submit and receive approval of an updated clean energy investment plan every two years.

(i) An investor-owned light and power business or gas distribution business may not earn a rate of return from the portion of investments paid for with credits under this section.

(j) Credits may not support programs, activities, or projects that are otherwise legally required by federal, state, or local laws, or that are required as a result of a legal settlement or other action binding on the potential recipient of

the funds. Credits may not be used to supplant existing funding for related programs.

(k) A qualifying light and power business or gas distribution business is authorized to use a reasonable portion of credits for necessary administrative costs related to the requirements of this subsection, including the development and implementation of an approved clean energy investment plan.

(l) For the purposes of this subsection, a qualifying light and power business or gas distribution business may request that within one hundred twenty days the department of health designate additional pollution and health action areas located in the service area of the qualifying light and power business or gas distribution business.

(m) Credited fees in the clean energy investment account are considered gross operating revenue for the purpose of RCW 80.24.010, and may not be considered gross income for the purposes of chapters 82.04 and 82.16 RCW. In addition to fees paid pursuant to RCW 80.24.010 on credited fees in the clean energy investment account, each investor-owned utility must pay an annual fee set by the commission annually through order of up to one percent of credited fees deposited in the clean energy investment account to pay for the commission's reasonable cost of administering this subsection.

(n) The commission and department must adopt rules concerning the process, timelines, reporting, committees, standards, and documentation required to ensure proper implementation of this subsection. These rules must allow for stakeholder contribution to the clean energy investment plans and establish requirements for review, approval, performance metrics, and independent monitoring and evaluation of a clean energy investment plan of a light and power business or gas distribution business.

(o) The amount of credits authorized and spent under this subsection counts towards the minimum percentage of investments required by section 3(2)(a) of this act.

(p) The definitions in this subsection (6)(p) apply throughout this subsection unless the context clearly requires otherwise.

(i) "Commission" means the utilities and transportation commission.

(ii) "Department" means the department of commerce.

(7) Funding made available for programs, activities, or projects under this section must be additive to existing funding and may not supplant funding otherwise available.

(8) The expenditures of funds under this section may not support programs, activities, or projects that are otherwise legally required by federal, state, or local laws, or that are required as a result of a legal settlement or other legal action or court order binding on the potential recipient of the funds.

NEW SECTION. Sec. 5. CLEAN WATER AND HEALTHY FORESTS INVESTMENTS. (1) The clean water and healthy

forests account is created in the state treasury. All moneys directed to the account from the clean up pollution fund created in section 3 of this act must be deposited in the account. Moneys in the account are intended to increase the resiliency of the state's waters and forests to the impacts of climate change. Moneys in the account must be spent in a manner that is consistent with existing and future assessment of climate risks and resilience from the scientific community and expressed concerns of and impacts to pollution and health action areas.

(2) Moneys in the account may be allocated for the following purposes:

(a) Clean water investments that improve resilience from climate impacts.

(i) Funding under this subsection (2)(a) must be used to:

(A) Restore and protect estuaries, fisheries, and marine shoreline habitats, and prepare for sea level rise;

(B) Increase the ability to remediate and adapt to the impacts of ocean acidification;

(C) Reduce flood risk and restore natural floodplain ecological function;

(D) Increase the sustainable supply of water and improve aquatic habitat, including groundwater mapping and modeling; or

(E) Improve infrastructure treating stormwater from previously developed areas within an urban growth boundary designated under chapter 36.70A RCW, with a preference given to projects that use green stormwater infrastructure.

(ii) Funding under this subsection (2)(a) proposed for projects in the Puget Sound basin must be reviewed by the Puget Sound partnership for consistency with the Puget Sound action agenda authorized under chapter 90.71 RCW. This review must be conducted in a manner that does not delay the approval of programs, activities, or projects under this subsection.

(iii) The departments of ecology, natural resources, fish and wildlife, the Puget Sound partnership, and the recreation and conservation office must jointly develop draft procedures, criteria, and rules for the program authorized under this subsection (2)(a).

(b) Healthy forests investments to improve resilience from climate impacts.

(i) Funding under this subsection (2)(b) must be used for projects and activities that will:

(A) Increase resilience to wildfire in the face of increased temperature and drought; or

(B) Improve forest health and reduce vulnerability to changes in hydrology, insect infestation, and other impacts of climate change.

(ii) The department of natural resources may consider supporting cross laminated timber and other mass timber technologies in support of this work.

(iii) The department of natural resources must develop draft procedures, criteria, and rules for the program authorized under this subsection (2)(b). Funding priority must be

given to programs, activities, or projects prioritized pursuant to RCW 76.06.200 and 79.10.530 across any combination of local, state, federal, tribal, and private ownerships.

(iv) The department of natural resources must adopt rigorous performance-based criteria and objectives for funding decisions under this subsection (2)(b), such as the number of acres burned or thinned or otherwise treated to improve forest health, acres of forest for which wildland fire prevention measures have been implemented, and the number of communities in the wildland urban interface for which wildfire resilience and defense measures have been implemented.

(3) Draft procedures, criteria, and rules required under this section must be developed in consultation with the clean water and healthy forests panel and must be submitted to the board for final review and approval subject to the rule-making process.

(4) Moneys in the account may not be used for projects that would violate tribal treaty rights or result in significant long-term damage to critical habitat or ecological functions. Investments from this account must result in long-term environmental benefit and increased resiliency to the impacts of climate change.

(5) Funding made available for projects under this section should be considered additive to existing funding and is not intended to supplant funding otherwise available for such projects.

NEW SECTION. Sec. 6. HEALTHY COMMUNITIES INVESTMENTS. (1) The healthy communities account is created in the state treasury. All moneys directed to the account from the clean up pollution fund created in section 3 of this act must be deposited in the account. Moneys in the account must be used for programs, activities, or projects to prepare communities for challenges caused by climate change and to ensure that the impacts of climate change are not disproportionately borne by certain populations. Investments from this account may be used for the following purposes, with first priority given to programs, activities, or projects eligible for funding under (a), (b), and (c) of this subsection:

(a) Enhancing community preparedness and awareness before, during, and after wildfires;

(b) Developing and implementing resources to support fire suppression, prevention, and recovery for tribal communities impacted or potentially impacted by wildfires;

(c) Relocating communities on tribal lands that are impacted by flooding and sea level rise; and

(d) Developing and implementing education programs and teacher professional development opportunities at public schools to expand awareness of and increase preparedness for the environmental, social, and economic impacts of climate change and strategies to reduce pollution.

(2) Funding under this section may not supplant federal funding or federal obligations otherwise required by law or

treaty.

(3) The department of natural resources, in consultation with the environmental and economic justice panel, shall develop draft procedures, criteria, and rules for the programs authorized in subsection (1)(a) through (c) of this section. The procedures, criteria, and rules for the program authorized in subsection (1)(a) of this section must prioritize programs, activities, or projects that benefit communities with limited English proficiency and other vulnerable populations in communities at risk from wildfires.

(4) The superintendent of public instruction shall develop draft procedures, criteria, and rules for the program authorized in subsection (1)(d) of this section.

(5) Twenty percent of the healthy communities account must be reserved for developing community capacity to participate in the implementation of this chapter, including the preparation of funding proposals. Funds for this community capacity program must be allocated through a competitive process with a preference for projects proposed by vulnerable populations in pollution and health action areas and rural communities. Any Indian tribe that applies must receive up to two hundred thousand dollars per year to build tribal capacity to participate in the implementation of this chapter. The department of commerce shall work with the environmental and economic justice panel to develop draft procedures, criteria, and rules for this program.

(6) Proposed procedures, criteria, and rules prepared under this section must be sent to the board for final adoption, including through the rule-making process as appropriate.

NEW SECTION. Sec. 7. INVESTMENT CRITERIA. (1) After applying the account-specific criteria in sections 4, 5, and 6 of this act, preference must be given to investments authorized under section 3 of this act and credits authorized under section 4(6) of this act that meet one or more of the following investment criteria:

(a) Procurement and use of materials and content that have lower carbon emissions associated with their transportation and manufacturing, as determined through the best available reporting and assessment tools;

(b) Support of high quality labor standards, prevailing wage rates determined by local collective bargaining, apprenticeship and preapprenticeship utilization and preferred entry standards, community workforce agreements with priority local hire, procurement from women, veteran, and minority-owned businesses, procurement from and contracts with entities that have a history of complying with federal and state wage and hour laws and regulations, and other related labor standards;

(c) Reduction of worker and public exposure to emissions of air pollutants regulated under chapter 70.94 RCW, discharges of pollutants regulated under chapter 90.48 RCW, or releases of hazardous substances under chapter 70.105D RCW; and

(d) Reduction of pollution through strategies that reduce

vehicle miles traveled, including by reducing travel distances for people with lower incomes.

(2) Projects that satisfy multiple criteria in subsection (1) of this section receive first preference under this section.

NEW SECTION. Sec. 8. POLLUTION FEE. (1) A pollution fee is imposed on and must be collected from large emitters based on the carbon content of:

- (a) Fossil fuels sold or used within this state; and
- (b) Electricity generated within or imported for consumption in the state.

(2) The fee must be levied only once on a particular unit of fossil fuels or electricity.

(3) Beginning January 1, 2020, the pollution fee on large emitters is equal to fifteen dollars per metric ton of carbon content. Beginning January 1, 2021, the pollution fee on large emitters increases by two dollars per metric ton of carbon content each January 1st. The annual increase shall adjust for inflation each year. The pollution fee is fixed and no longer increases, except for annual increases for inflation, when the state's 2035 greenhouse gas reduction goal is met and the state's emissions are on a trajectory that indicates that compliance with the state's 2050 goal is likely, as those goals exist or are subsequently amended, as determined by the board.

(4) In order to calculate the pollution fee on large emitters imposed by this chapter, by November 1, 2019, the department of ecology must, in consultation with the department of revenue, adopt emergency rules specifying the basis for the carbon content inherent in or associated with covered fossil fuels and electricity. In developing these rules, the department of ecology may consider, among other resources, the carbon dioxide content measurements for fossil fuels from the federal energy information administration and the federal environmental protection agency. The department of ecology may periodically update the rules specifying the carbon content of fossil fuels and electricity.

(5) For the generation or import of electricity from an unspecified source, the department of ecology, in consultation with the department of commerce, must select a default emission factor that maximizes the incentive for light and power businesses to specify power sources without also unduly burdening the ability to purchase electricity from the market.

(6) For power generated or imported by the Bonneville power administration, the department of ecology must publish a default emissions factor for sales into Washington state.

(7) A credit for the fee owed may be authorized as provided in section 4(6) of this act. The utilities and transportation commission and the department of commerce shall ensure that resources are not reallocated between customers, customer classes, or geographies for the purposes of artificially reducing the application of this fee without reducing actual pollution emissions and, in doing so, must also not

unduly burden the ability of a light and power business or gas distribution business to transact with the market.

(8) The department of revenue is directed to collect the fee and is authorized to take actions it deems necessary to collect the pollution fee.

(9) To carry out the purposes of this chapter, the state is authorized to issue general obligation or revenue bonds within the limitations now or hereafter prescribed by the laws of this state, and may use, and is authorized to pledge, the moneys collected under this section for repayment of those bonds.

(10) The pollution fee owed by a large emitter may be assumed by a light and power business when it purchases electricity from that large emitter.

(11) When a large emitter purchases power from the Bonneville power administration, the larger emitter must assume the pollution fees, if any.

NEW SECTION. Sec. 9. EXEMPTIONS. (1) To ensure consistency with existing state and federal law and to facilitate the timely, feasible, and effective reduction of pollution under this chapter, the pollution fee imposed on large emitters does not apply to and may not be collected for:

(a) Fossil fuels brought into this state in the fuel supply tank of a motor vehicle, vessel, locomotive, or aircraft;

(b) Fossil fuels that are exported or sold for export outside of Washington. Export to a federally recognized Indian tribal reservation located within this state is not considered export outside of Washington;

(c) Fossil fuels directly or eventually supplied to a light and power business for purposes of generating electricity;

(d) Motor vehicle and special fuel currently exempt from taxation under RCW 82.38.080;

(e) Fossil fuels and electricity sold to and used onsite by facilities with a primary activity that falls into an EITE sector, including any facility primarily supporting one or more facilities falling into one or more EITE sectors such as administrative, engineering, or other office facilities, after the department of commerce has validated a facility's designation within such sector or its supporting facility status in an EITE sector;

(f) Aircraft fuels as defined in RCW 82.42.010 and maritime fuels;

(g) Activities or property of Indian tribes and individual Indians that are exempt from state taxation as a matter of federal law and state law, whether by statute, rule, or compact, including but not limited to the exemptions listed in WAC 458-20-192. For motor vehicle fuel or special fuel sold on tribal lands, the fee may be included in any agreements under RCW 82.38.310;

(h) Diesel fuel, biodiesel fuel, or aircraft fuel when these fuels are used solely for agricultural purposes by a farm fuel user, as those terms are defined in RCW 82.08.865;

(i) Pollution emissions from a coal closure facility. For the purpose of this chapter, a "coal closure facility" is any facili-

ty that generates electricity through the combustion of coal as of the effective date of this section and:

(i) Is legally bound to comply with emissions performance standards as set forth in RCW 80.80.040 by December 31, 2025; or

(ii) Is legally bound to cease operation by December 31, 2025.

(2) For any electricity or fossil fuels subject to the fee imposed by this chapter that are also subject to a similar fee on carbon content imposed by another jurisdiction, the payer may take a credit against the fee imposed by this chapter up to the amount of the similar fee paid to the other jurisdiction if the payer petitions to and receives approval for the credit from the department of commerce.

(3) For electricity generated in Washington that is sold out of state to a jurisdiction that has a similar fee on carbon content, a large emitter may receive a credit equal to the amount of the fee in the receiving jurisdiction up to the amount of the fee owed under this chapter if the payer petitions to and receives approval for the credit from the department of commerce.

NEW SECTION. Sec. 10. PUBLIC OVERSIGHT BOARD AND CONSULTATION. (1) The public oversight board is established within the executive office of the governor. The purpose of the board is to ensure timely, effective, and efficient implementation of this chapter. The board must ensure robust public involvement, accountability, and transparency in the implementation of this chapter.

(2) The board has fifteen voting members, including the chair, the six cochairs of the panels, four at-large positions, the commissioner of public lands, and the directors of the department of commerce, the department of ecology, and the recreation and conservation office. The governor shall appoint the chair and the four at-large positions, one of which must be a tribal representative and one of which must represent vulnerable populations in pollution and health action areas, to achieve an overall board membership with appropriate expertise in pollution reduction. The at-large positions must serve staggered four-year terms. The department of health, the department of transportation, and the superintendent of public instruction are non-voting members of the board.

(3) The board has the following powers and duties:

(a) Develop budget recommendations pursuant to the process set forth in chapter 43.88 RCW;

(b) Work with appropriate state agencies to utilize, where feasible, existing programs to deliver funding made available under this chapter;

(c) Evaluate the funding proposals developed by the state agencies and the panels and provide final approval of funding for programs and projects under this chapter at a public hearing;

(d) Adopt rules under chapter 34.05 RCW as necessary to carry out the purposes of this chapter;

(e) Review and approve procedures, criteria, and rules developed under the provisions of this chapter, the pollution reduction investment plan developed under section 4 of this act, and the effectiveness report required by section 12 of this act;

(f) Develop a tribal consultation process for programs, activities, or projects proposed for funding under this chapter consistent with subsection (9) of this section;

(g) Confer with the governor and the legislature regarding implementation of this chapter; and

(h) Carry out such other duties necessary for implementation of this chapter or that are delegated to the board.

(4) The board must be led by the chair of the board. The chair is a full-time staff person appointed by the governor and should be housed in the office of the governor. The chair should have experience in management and administration and expertise in and a demonstrated commitment to reducing pollution and transitioning to a clean energy economy.

(5) In addition to leading the board, the chair has, without limitation, the following duties and authorities:

(a) Drive implementation of programs, activities, or projects in a manner that achieves timely and effective pollution reduction and the other purposes of this chapter;

(b) Solicit analysis from any state agency or office on matters related to implementation of this chapter;

(c) Convene and preside over a climate subcabinet, consisting of representatives of the agencies with responsibility to implement portions of this chapter and the cochairs of the panels;

(d) Periodically brief the governor and legislative leaders regarding progress, challenges, and obstacles in implementing this chapter; and

(e) Hire staff as necessary to support the work of the chair and the board.

(6) Members of the board who are not state employees must be compensated in accordance with RCW 43.03.240 and are entitled to reimbursement individually for travel expenses incurred in the performance of their duties as members of the board in accordance with RCW 43.03.050 and 43.03.060.

(7) All state agencies shall cooperate with and support the board as it implements this chapter. All state agencies shall complete their duties under this chapter and otherwise drive its implementation with a sense of urgency.

(8) To ensure timeliness, efficiency, and effectiveness, the board and the joint legislative audit and review committee shall jointly develop a schedule for periodic review and reporting regarding the implementation of this chapter.

(9) In furtherance of strengthening partnerships between the state and Indian tribes, achieving the goals set forth in this chapter, and to ensure mutual respect for the rights, interests, and obligations of each sovereign, this chapter must be construed to recognize and affirm the inherent sovereignty of Indian tribes, and to further the govern-

ment-to-government relationships between Indian tribes and the state as follows:

(a) Any state agency acting under the authority of this chapter or receiving funding under this chapter must consult with Indian tribes on all decisions that may directly affect Indian tribes and tribal lands including but not limited to activities such as rule making. That consultation must follow the agency's protocol for consultation with Indian tribes developed pursuant to the centennial accord and must occur independent of any public participation process required by state law or by the agency, regardless of whether the agency receives a request for consultation from an Indian tribe.

(b) Any project proposed for funding under this chapter that directly impacts tribal lands or usual and accustomed fishing areas must be subject to meaningful formal consultation with Indian tribes before the board approves disbursement of investment moneys for the project. Consultation must include all consultation required under state or federal law and the provisions of this section. The goal of consultation is to share information regarding the project to ensure a complete understanding of the project and to identify and address tribal concerns. The process for consultation must be as follows:

(i) Consultation with Indian tribes must be initiated when a project is being evaluated for funding by a panel.

(ii) Consultation is initiated upon receipt of a letter from the board or panel to the person identified by Indian tribes under RCW 43.376.050. If an Indian tribe does not respond within forty-five days of receipt of the letter, the board may conclude that the Indian tribe has declined consultation on the project. The board shall provide notice in a manner that ensures actual receipt by the tribe and provides clarity as to the commencement of the forty-five day period outlined herein.

(iii) Where an Indian tribe responds to the letter, the board must utilize the consultation process established by the board, including a mutually agreed timeline for completion of consultation. The consultation process runs concurrently with the panels' and board's evaluation of the project and must be completed prior to the date determined by the board to complete final funding decisions.

(iv) The board and the Indian tribe must work in good faith during the consultation process to reach consensus on whether the project should be funded.

(c) For programs, activities, or projects that directly impact tribal lands, the goal of the consultation process is to obtain free, prior, and informed consent for the project. For these programs, activities, or projects, consultation is complete when the Indian tribe's government provides the board with a written resolution providing consent or withholding consent by the deadline set for completion of the consultation process.

(d) If any project that directly impacts tribal lands is funded under this chapter without complying with (b) and (c)

of this subsection, upon a request by an Indian tribe, all further action on the project must cease until consultation with the Indian tribe is complete.

(e) Nothing in this subsection precludes a panel or the board from evaluating similar programs, activities, or projects as a group or using existing programs, activities, or projects to provide preliminary funding recommendations.

(f) Informal and early consultation between an Indian tribe and a project proponent is encouraged.

(g) The utilities and transportation commission shall comply with this subsection in exercising its authority under section 4 of this act.

NEW SECTION. Sec. 11. INVESTMENT ADVISORY PANELS. (1) Three panels are created to provide detailed recommendations to the board and state agencies regarding implementation of this chapter, including the development of proposed rules, criteria, procedures, and other program elements. The governor shall appoint members of each panel for four-year, staggered terms. At least one-third of the membership of each panel must be representatives of the interests of vulnerable populations in pollution and health action areas.

(2) The clean air and clean energy panel must be co-chaired by one business interest and a stakeholder that represents a statewide labor organization that represents a broad cross-section of workers. The panel may have no more than nine members, representing tribal, environmental, business, and labor communities and pollution and health action areas outside of tribal lands. The panel's membership must have expertise in carbon reduction programs, activities, and technologies. The panel shall work with appropriate state agencies to identify existing state programs that can be utilized to provide preliminary evaluations of grant applications, develop criteria and processes for evaluating programs, activities, or projects proposed that cannot be evaluated under existing programs, and prepare funding and other recommendations to the board for expenditures from the clean air and clean energy account, created in section 4 of this act. The clean air and clean energy panel may also develop, as needed, and recommend rules for the board's consideration.

(3) The clean water and healthy forests panel must be cochaired by one tribal leader and one stakeholder that represents statewide environmental interests. The panel may have no more than nine members, representing tribal, environmental, business, and labor communities and pollution and health action areas outside of tribal lands. The panel shall work with appropriate state agencies to identify existing state programs that can be utilized to provide initial evaluations of grant applications, develop funding criteria and processes for programs, activities, or projects that cannot be evaluated under existing programs, and prepare funding and other recommendations to the board for expenditures from the clean water and healthy forests

account, created in section 5 of this act. The panel may also recommend rules for the board's consideration.

(4) The environmental and economic justice panel must be cochaired by one tribal leader and one person that is a representative of the interests of vulnerable populations in pollution and health action areas outside of tribal lands. In addition to the cochairs, the panel consists of two members representing union labor with expertise in economic dislocation, clean energy economy, or energy-intensive and trade-exposed industries and five members, including at least one tribal leader and at least two nontribal leaders representing the interest of vulnerable populations in pollution and health action areas. The purpose of the panel is to:

(a) Prepare funding recommendations to the board for expenditures from the healthy communities account, created in section 6 of this act;

(b) Develop draft procedures, criteria, and rules for evaluating programs, activities, or projects for review and approval by the board and make funding recommendations regarding people with lower incomes, affected workers, vulnerable populations, and pollution and health action areas;

(c) Make recommendations regarding preventing or eliminating any increased energy burden of people with lower incomes as a result of actions to reduce pollution, including the pollution fees collected from large emitters under this chapter;

(d) Define meaningful consultation with pollution and health action areas, vulnerable populations, and people with lower incomes, and provide opportunities for vulnerable populations to consult on the implementation of this chapter;

(e) Evaluate compliance with the investment criteria in section 7 of this act;

(f) Define qualifying events and workers for the allocation of funds authorized under section 4(5) of this act;

(g) Review and comment on the analyses required under section 12 of this act and identify and recommend opportunities and measures to reduce burdens identified in the cumulative impact designation of pollution and health action areas pursuant to section 12(2) of this act, to increase economic opportunities, and to decrease risks, such as displacement; and

(h) Administer, in cooperation with the department of commerce, the community capacity grants authorized under section 6(5) of this act.

(5) Relevant state agencies shall cooperate with and support the panels as they implement this chapter.

(6) Any single individual may serve on more than one panel. Members of the panels who are not state employees must be compensated in accordance with RCW 43.03.240 and are entitled to reimbursement individually for travel expenses incurred in the performance of their duties as members of the panel in accordance with RCW 43.03.050 and 43.03.060. Members of the environmental and economic

justice panel may receive financial support from organizations and the governments of Indian tribes through approved community capacity grants awarded under section 6(5) of this act.

NEW SECTION. Sec. 12. EFFECTIVENESS REVIEW AND POLLUTION MAPPING. (1)(a) By December 10, 2022, and every four years thereafter, the department of commerce, with support from relevant agencies and in consultation with the panels, the board, academic institutions, and other experts as appropriate, and taking into account scientific and community assessments of climate impacts, risks, and resilience needs, must develop and submit to the board a draft effectiveness report for final review and approval by the board.

(b) The effectiveness report must describe progress in achieving the purposes of this chapter, including progress made in achieving the carbon reduction goals established in section 4(2)(b) of this act and in developing and implementing the pollution reduction plans and clean energy investment plans under section 4 of this act. In addition, the effectiveness report must also include information regarding the impact of the implementation of this chapter upon employment and jobs, including the number and nature of jobs created, worker hours, job quality, job access and demographics, cobenefits secured, and other employment and economic information as deemed appropriate. The effectiveness report must also identify and evaluate outcomes, risks, and recommendations for vulnerable populations, pollution and health action areas, people with lower incomes, Indian tribes, and affected workers. The effectiveness report must recommend improvements to the implementation of this chapter.

(2) By July 31, 2019, the department of health shall designate pollution and health action areas. This designation must be at a minimum resolution of census tract scale and be based on the cumulative impact analysis of vulnerable populations and environmental burdens conducted by the University of Washington's department of environmental and occupational health sciences. The designation and ranking of census tracts in the cumulative impacts analysis and underlying data must be available for public review and may be integrated with or build upon other population tracking resources. The designation of pollution and health action areas and the cumulative impact analysis of vulnerable populations and environmental burdens must be periodically evaluated and updated by the department of health after meaningful consultation with vulnerable populations, the environmental and economic justice panel, and the University of Washington's department of environmental and occupational health sciences.

NEW SECTION. Sec. 13. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Alternative carbon reduction unit" means a credit for

one metric ton reduction in pollution that substitutes for an equivalent emission reduction in a qualifying gas distribution business's operations and is real, permanent, enforceable, verifiable, and additional to business as usual. The unit must derive from an action that reduces pollution.

(2) "Board" or "oversight board" means the public oversight board created in section 10 of this act.

(3) "Carbon content" means the carbon dioxide equivalent that is released through the combustion or oxidation of a fossil fuel, or that is associated with the combustion or oxidation of a fossil fuel, used to generate electricity.

(4) "Carbon dioxide equivalent" has the same meaning as provided in RCW 70.235.010.

(5) "Consumer-owned utility" has the same meaning as in RCW 19.29A.010.

(6) "Eligible renewable energy resource" has the same meaning as in RCW 19.285.030.

(7) "Energy burden" is the percentage of household income spent on road transportation and home energy bills.

(8) "Energy-intensive and trade-exposed sectors" and "EITE sectors" mean:

(a) Those sectors identified under "EITE covered party" in WAC 173-442-020(1)(m) as of April 22, 2017; and

(b) Other sectors the department of commerce designates that have, on average across all facilities belonging to the sector in the state, both a greater energy intensity of production and a greater trade share of goods than the corresponding averages for any other EITE sector.

(9) "Environmental burdens" refers to the cumulative risks to communities caused by historic and current:

(a) Exposure to conventional and toxic hazards in the air, water, and land, and;

(b) Adverse environmental effects, which are environmental conditions caused or made worse by contamination or pollution or that create vulnerabilities to climate impacts.

(10) "Fossil fuel" means petroleum products that are intended for combustion, natural gas, coal or coke of any kind, or any form of solid, liquid, or gaseous fuel derived from these products including but not limited to motor vehicle fuel, special fuel, aircraft fuel, marine fuel, still gas, propane, and petroleum residuals such as bunker fuel. For purposes of imposing the pollution fee on the carbon content of fossil fuels consumed by a refinery facility during the process of refining fossil fuels, "fossil fuel" also means crude oil and petroleum.

(11) "Fund" means the clean up pollution fund established under section 3 of this chapter.

(12) "Gas distribution business" has the same meaning as provided in RCW 82.16.010.

(13) "Greenhouse gas" and "greenhouse gases" have the same meaning as provided in RCW 70.235.010(6).

(14) An "Indian tribe" is an Indian nation, tribe, band, community, or other entity:

(a) Recognized as an Indian tribe by the federal department of the interior; and

(b) With its principal governmental office located within the geographical boundaries of the state of Washington or with treaty-reserved rights retained within the geographical boundaries of the state of Washington.

(15) "Inflation" means the percentage change in the consumer price index for all urban wage earners and clerical workers for the United States as published for the most recent twelve-month period by the bureau of labor statistics of the federal department of labor by September 30th of the year before the fees are payable.

(16) "Investor-owned utility" has the same meaning as in RCW 19.29A.010.

(17) "Large emitter" means:

(a) For electricity:

(i) An importer of electricity that was generated using fossil fuels or is subject to a default emissions factor under section 8 of this act; or

(ii) A power plant located in the state of Washington that generates electricity using fossil fuels.

(b) For motor vehicle fuel and special fuel, entities required to pay the tax specified in RCW 82.38.030(9).

(c) For natural gas, entities required to pay the tax specified in chapter 82.16 RCW, or, if the fee is not paid by a gas distribution business under chapter 82.16 RCW, by the person required to pay tax as provided in RCW 82.12.022 (1) through (3) and (8) through (10).

(d) For other petroleum products, persons as designated by rule by the department of revenue.

(e) A seller of fossil fuels to end users or consumers.

(f) A seller of fossil fuels sold for combined heat and power as defined in RCW 19.280.020.

(g) A refinery facility for crude oil, crude oil derivatives and other fossil fuels consumed by or in a refinery facility.

(18) "Light and power business" has the same meaning as provided in RCW 82.16.010, and includes a light and power business owned or operated by a municipality.

(19) "Maritime fuels" means diesel, gasoline, and biofuel-blend fuels sold from fuel docks for use in vessels and bunker and other fuels sold for use in ships for interstate and international transportation.

(20) "Motor vehicle fuel" has the same meaning as provided in RCW 82.38.020.

(21) "Panel" or "panels" means any or all of the panels established in section 11 of this chapter.

(22) "Person" means the state of Washington, political subdivision of the state of Washington, municipal corporation, the United States, and any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, partnership, joint venture, club, company, joint stock company, business trust, corporation, limited liability company, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise.

(23) "People with lower incomes" means:

(a) All Washington residents with an annual income, ad-

justed for household size, which is at or below the greater of:

(i) Eighty percent of the area median income as reported by the federal department of housing and urban development; or

(ii) Two hundred percent of the federal poverty line; and

(b) Members of an Indian tribe who meet the income-based criteria for existing other means-tested benefits through formal resolution by the governing council of an Indian tribe.

(24) "Petroleum product" means hydrocarbons that are the product of the fractionation, distillation, or other refining or processing of crude oil that are used as, usable as, or may be refined as a fuel or fuel blend stock.

(25) "Pollution" means, for purposes of this chapter only, the presence of or introduction into the environment of greenhouse gases.

(26) "Pollution and health action areas" are those communities designated by the department of health based on the cumulative impacts analysis required by section 12(2) of this chapter and census tracts that are fully or partially on "Indian Country" as defined in 18 U.S.C. Sec. 1151.

(27) "Power plant" has the same meaning as in RCW 80.80.010.

(28) "Special fuel" has the same meaning as provided in RCW 82.38.020 and includes fuel that is sold or used to propel vessels.

(29) "Supplier" means a person that produces, refines, imports, sells, or delivers fossil fuels in or into the state for use or processing within the state.

(30) "Tribal lands" means "Indian Country" as defined in 18 U.S.C. Sec. 1151, lands owned by or held in trust for an Indian tribe, and sensitive tribal areas. For the purposes of this chapter, "sensitive tribal areas" are areas in which an Indian tribe has a significant interest, such as sacred sites, traditional cultural properties, and burial grounds protected under chapter 27.44 RCW.

(31) "Tribal leaders" means persons identified by Indian tribes under RCW 43.376.050 or other designee formally appointed by the Indian tribe.

(32) "Usual and accustomed fishing area" is any area adjudicated to have been reserved for fishing by one or more Indian tribe(s) through treaties as recognized by *United States v. Washington*, 20 F. Supp. 3d 899 (2008). For purposes of this chapter only, "usual and accustomed fishing area" refers to waterways only and not nearby uplands.

(33) "Vulnerable populations" are communities that experience high cumulative risk from environmental burdens due to:

(a) Adverse socioeconomic factors, such as unemployment, high housing and transportation costs relative to income, and linguistic isolation; and

(b) Sensitivity factors, such as low birth weight and higher rates of hospitalization.

NEW SECTION. Sec. 16. All departments and agencies named in this chapter may adopt rules, develop guidance, and create forms and other documents necessary to effectuate the provisions and purposes of this chapter.

NEW SECTION. Sec. 17. As of the effective date of this section, chapter 173-442 WAC and associated amendments to chapter 173-441 WAC previously adopted by the department of ecology may not be enforced by the department of ecology. If this chapter is invalidated, the department of ecology is directed to enforce chapter 173-442 WAC and associated amendments to chapter 173-441 WAC.

NEW SECTION. Sec. 18. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected. If any provision of this chapter or its application to any person or circumstance is held unconstitutional or unlawful, this chapter shall be construed to provide for the maximum application of the pollution fee and investments authorized in this chapter. Each exemption in section 9 of this act is severable and, if any exemption is held unconstitutional or unlawful, the remainder of the chapter is not affected.

NEW SECTION. Sec. 19. The findings and determinations in section 1 of this act are an integral part of this chapter. The provisions of this chapter are to be liberally construed to effectuate the policies and purposes of this chapter.

NEW SECTION. Sec. 20. The people find and determine that the pollution fee imposed in this chapter is not a tax in light of the purposes, benefits, and use of the fee. Nevertheless, if a court of final jurisdiction determines that the pollution fee imposed in this chapter is a tax, then that tax shall be deemed authorized, imposed, and exempt from the provisions of RCW 82.32.805 and 82.32.808.

NEW SECTION. Sec. 21. Sections 1 through 19 of this act constitute a new chapter in Title 70 RCW.

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Initiative Measure No. 1634

AN ACT Relating to the taxation of groceries; and adding a new chapter to Title 82 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. SHORT TITLE. This chapter may be known and cited as the “keep groceries affordable act of 2018.”

NEW SECTION. Sec. 2. KEEPING GROCERIES AFFORDABLE: FINDINGS AND DECLARATIONS.

(1) Whereas access to food is a basic human need of every Washingtonian; and

(2) Whereas keeping the price of groceries as low as possible improves the access to food for all Washingtonians; and

(3) Whereas taxing groceries is regressive and hurts low- and fixed-income Washingtonians the most; and

(4) Whereas working families in Washington pay a greater share of their family income in state and local taxes than their wealthier counterparts; now, therefore,

(5) The people of the state of Washington find and declare that no local governmental entity may impose any new tax, fee, or other assessment that targets grocery items.

NEW SECTION. Sec. 3. DEFINITIONS.

For purposes of this chapter: (1) “Alcoholic beverages” has the same meaning as provided in RCW 82.08.0293.

(2) “Groceries” means any raw or processed food or beverage, or any ingredient thereof, intended for human consumption except alcoholic beverages, marijuana products, and tobacco. “Groceries” includes, but is not limited to, meat, poultry, fish, fruits, vegetables, grains, bread, milk, cheese and other dairy products, nonalcoholic beverages, kombucha with less than 0.5% alcohol by volume, condiments, spices, cereals, seasonings, leavening agents, eggs, cocoa, teas, and coffees whether raw or processed.

(3) “Local governmental entity” has the same meaning as provided in RCW 4.96.010.

(4) “Marijuana products” has the same meaning as provided in RCW 69.50.101.

(5) “Tax, fee, or other assessment on groceries” includes, but is not limited to, a sales tax, gross receipts tax, business and occupation tax, business license tax, excise tax, privilege tax, or any other similar levy, charge, or exaction of any kind on groceries or the manufacture, distribution, sale, possession, ownership, transfer, transportation, container, use, or consumption thereof.

(6) “Tobacco” has the same meaning as provided in RCW 82.08.0293.

NEW SECTION. Sec. 4. KEEPING GROCERIES TAX FREE—PROTECTING TRADITIONAL LOCAL REVENUE STREAMS—CONTINUED AUTHORITY.

Notwithstanding any other law to the contrary:

(1) Except as provided in subsections (2) through (4) of this section, a local governmental entity may not impose or collect any tax, fee, or other assessment on groceries.

(2) Nothing in this section precludes the continued collection of any existing tax, fee, or other assessment on groceries as is in effect as of January 15, 2018; but no existing tax, fee, or other assessment on groceries may be increased in rate, scope, base, or otherwise after January 15, 2018, except as provided in subsections (3) and (4) of this section.

(3) Nothing in this section prohibits the imposition and collection of a tax, fee, or other assessment on groceries if:

(a) The tax, fee, or other assessment is generally applicable to a broad range of businesses and business activity; and

(b) The tax, fee, or other assessment does not establish or rely on a classification related to or involving groceries or a subset of groceries for purposes of establishing or otherwise resulting in a higher tax rate due to such classification.

(4) Nothing in this section prohibits the imposition and collection of a local retail sales and use tax pursuant to RCW 82.14.030 on those persons taxable by the state under chapters 82.08 and 82.12 RCW.

NEW SECTION. Sec. 5. IMPLEMENTATION.

Notwithstanding any other law to the contrary:

(1) This chapter applies to any tax, fee, or other assessment on groceries first imposed, increased, or collected by a local governmental entity on or after January 15, 2018.

(2) The provisions of this chapter are to be construed liberally so as to effectuate their intent, policy, and purposes.

NEW SECTION. Sec. 6. SEVERABILITY.

(1) If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

(2) The people of the state of Washington hereby declare that they would have adopted this chapter, and each and every portion, section, subsection, clause, sentence, phrase, word, and application not declared invalid or unconstitutional without regard to whether any portion of this chapter, or application thereof, would be subsequently declared invalid.

NEW SECTION. Sec. 7. Sections 1 through 5 of this act constitute a new chapter in Title 82 RCW.

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Complete Text

Initiative Measure No. 1639

AN ACT Relating to increasing public safety by implementing firearm safety measures, including requiring enhanced background checks, waiting periods, and increased age requirements for semiautomatic assault rifles and secure gun storage for all firearms; amending RCW 9.41.090, 9.41.092, 9.41.094, 9.41.097, 9.41.0975, 9.41.110, 9.41.113, 9.41.124, 9.41.240, 9.41.129, and 9.41.010; adding new sections to chapter 9.41 RCW; creating new sections; prescribing penalties; and providing effective dates.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. INTENT. Gun violence is far too common in Washington and the United States. In particular, shootings involving the use of semiautomatic assault rifles have resulted in hundreds of lives lost, devastating injuries, and lasting psychological impacts on survivors, their families, and communities. Semiautomatic assault rifles are specifically designed to kill quickly and efficiently and have been used in some of the country's deadliest mass shootings, including in Newtown, Connecticut; Las Vegas, Nevada; and Parkland and Orlando, Florida, among others. Semiautomatic assault rifles have also been used in deadly shootings in Washington, including in Mukilteo and Tacoma.

The impacts of gun violence by assault weapons fall heavily on children and teenagers. According to one analysis, more than two hundred eight thousand students attending at least two hundred twelve schools have experienced a shooting on campus since the Columbine mass shooting in 1999. Active shooter drills are normal for a generation of American schoolchildren, instilling at a young age the sad and unnecessary realization that a mass shooting can happen in any community, in any school, at any time.

Enough is enough. The people find and declare that it is crucial and urgent to pass laws to increase public safety and reduce gun violence.

Implementing an enhanced background check system for semiautomatic assault rifles that is as strong as the one required to purchase a handgun and requiring safety training and a waiting period will help ensure that we keep these weapons out of dangerous hands. Further, federal law prohibits the sale of pistols to individuals under the age of twenty-one and at least a dozen states further restrict the ownership or possession of firearms by individuals under the age of twenty-one. This makes sense, as studies show that eighteen to twenty year olds commit a disproportionate number of firearm homicides in the United States and research indicates that the brain does not fully mature until a later age. Raising the minimum age to purchase semiautomatic assault rifles to twenty-one is a commonsense

step the people wish to take to increase public safety.

Finally, firearms taken from the home by children or other persons prohibited from possessing firearms have been at the heart of several tragic gun violence incidents. One study shows that over eighty-five percent of school shooters obtained the firearm at their home or from a friend or relative. Another study found that more than seventy-five percent of firearms used in youth suicide attempts and unintentional injuries were stored in the residence of the victim, a relative, or a friend. Secure gun storage requirements for all firearms will increase public safety by helping ensure that children and other prohibited persons do not inappropriately gain access to firearms, and notice requirements will make the potential dangers of firearms clear to purchasers.

Therefore, to increase public safety for all Washingtonians, in particular our children, this measure would, among other things: Create an enhanced background check system applicable to semiautomatic assault rifles similar to what is required for handguns, require that individuals complete a firearm safety training course and be at least twenty-one years of age to purchase or possess such weapons, enact a waiting period for the purchase of such weapons, and establish standards for the responsible storage of all firearms.

NEW SECTION. Sec. 2. SHORT TITLE. This act may be known and cited as the public safety and semiautomatic assault rifle act.

Sec. 3. ENHANCED BACKGROUND CHECKS. RCW 9.41.090 and 2018 c 201 s 6003 are each amended to read as follows:

(1) In addition to the other requirements of this chapter, no dealer may deliver a pistol to the purchaser thereof until:

(a) The purchaser produces a valid concealed pistol license and the dealer has recorded the purchaser's name, license number, and issuing agency, such record to be made in triplicate and processed as provided in subsection ((5)) (6) of this section. For purposes of this subsection (1) (a), a "valid concealed pistol license" does not include a temporary emergency license, and does not include any license issued before July 1, 1996, unless the issuing agency conducted a records search for disqualifying crimes under RCW 9.41.070 at the time of issuance;

(b) The dealer is notified in writing by (i) the chief of police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a pistol under RCW 9.41.040 and that the application to purchase is approved by the chief of police or sheriff; or (ii) the state that the purchaser is eligible to possess a firearm under RCW 9.41.040, as provided in subsection (3)(b) of this section; or

(c) The requirements or time periods in RCW 9.41.092 have been satisfied.

(2) In addition to the other requirements of this chapter, no dealer may deliver a semiautomatic assault rifle to the purchaser thereof until:

(a) The purchaser provides proof that he or she has com-

pleted a recognized firearm safety training program within the last five years that, at a minimum, includes instruction on:

- (i) Basic firearms safety rules;
- (ii) Firearms and children, including secure gun storage and talking to children about gun safety;
- (iii) Firearms and suicide prevention;
- (iv) Secure gun storage to prevent unauthorized access and use;
- (v) Safe handling of firearms; and
- (vi) State and federal firearms laws, including prohibited firearms transfers.

The training must be sponsored by a federal, state, county, or municipal law enforcement agency, a college or university, a nationally recognized organization that customarily offers firearms training, or a firearms training school with instructors certified by a nationally recognized organization that customarily offers firearms training. The proof of training shall be in the form of a certification that states under the penalty of perjury the training included the minimum requirements; and

(b) The dealer is notified in writing by (i) the chief of police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a firearm under RCW 9.41.040 and that the application to purchase is approved by the chief of police or sheriff; or (ii) the state that the purchaser is eligible to possess a firearm under RCW 9.41.040, as provided in subsection (3)(b) of this section; or

(c) The requirements or time periods in RCW 9.41.092 have been satisfied.

(3)(a) Except as provided in (b) of this subsection, in determining whether the purchaser meets the requirements of RCW 9.41.040, the chief of police or sheriff, or the designee of either, shall check with the national crime information center, including the national instant criminal background check system, provided for by the Brady Handgun Violence Prevention Act (18 U.S.C. Sec. 921 et seq.), the Washington state patrol electronic database, the health care authority electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 to possess a firearm.

(b) The state, through the legislature or initiative process, may enact a statewide firearms background check system equivalent to, or more comprehensive than, the check required by (a) of this subsection to determine that a purchaser is eligible to possess a firearm under RCW 9.41.040. Once ((the)) a state system is established, a dealer shall use the state system and national instant criminal background check system, provided for by the Brady Handgun Violence Prevention Act (18 U.S.C. Sec. 921 et seq.), to make criminal background checks of applicants to purchase firearms. ((However, a chief of police or sheriff, or a designee of either, shall continue to check the health care authority's

electronic database and with other agencies or resources as appropriate, to determine whether applicants are ineligible under RCW 9.41.040 to possess a firearm.))

((3)) (4) In any case under this section where the applicant has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor, the dealer shall hold the delivery of the pistol or semiautomatic assault rifle until the warrant for arrest is served and satisfied by appropriate court appearance. The local jurisdiction for purposes of the sale, or the state pursuant to subsection (3)(b) of this section, shall confirm the existence of outstanding warrants within seventy-two hours after notification of the application to purchase a pistol or semiautomatic assault rifle is received. The local jurisdiction shall also immediately confirm the satisfaction of the warrant on request of the dealer so that the hold may be released if the warrant was for an offense other than an offense making a person ineligible under RCW 9.41.040 to possess a ((pistol)) firearm.

((4)) (5) In any case where the chief or sheriff of the local jurisdiction, or the state pursuant to subsection (3)(b) of this section, has reasonable grounds based on the following circumstances: (a) Open criminal charges, (b) pending criminal proceedings, (c) pending commitment proceedings, (d) an outstanding warrant for an offense making a person ineligible under RCW 9.41.040 to possess a ((pistol)) firearm, or (e) an arrest for an offense making a person ineligible under RCW 9.41.040 to possess a ((pistol)) firearm, if the records of disposition have not yet been reported or entered sufficiently to determine eligibility to purchase a ((pistol)) firearm, the local jurisdiction or the state may hold the sale and delivery of the pistol or semiautomatic assault rifle up to thirty days in order to confirm existing records in this state or elsewhere. After thirty days, the hold will be lifted unless an extension of the thirty days is approved by a local district court, superior court, or municipal court for good cause shown. A dealer shall be notified of each hold placed on the sale by local law enforcement or the state and of any application to the court for additional hold period to confirm records or confirm the identity of the applicant.

((5)) (6)(a) At the time of applying for the purchase of a pistol or semiautomatic assault rifle, the purchaser shall sign in triplicate and deliver to the dealer an application containing:

- (i) His or her full name, residential address, date and place of birth, race, and gender;
- (ii) The date and hour of the application;
- (iii) The applicant's driver's license number or state identification card number;
- (iv) A description of the pistol or semiautomatic assault rifle including the make, model, caliber and manufacturer's number if available at the time of applying for the purchase of a pistol or semiautomatic assault rifle. If the manufacturer's number is not available at the time of applying for the purchase of a pistol or semiautomatic assault rifle, the

application may be processed, but delivery of the pistol or semiautomatic assault rifle to the purchaser may not occur unless the manufacturer's number is recorded on the application by the dealer and transmitted to the chief of police of the municipality or the sheriff of the county in which the purchaser resides, or the state pursuant to subsection (3)(b) of this section; ((and))

(v) A statement that the purchaser is eligible to purchase and possess a ~~((pistol))~~ firearm under ~~((RCW 9.41.040))~~ state and federal law; and

(vi) If purchasing a semiautomatic assault rifle, a statement by the applicant under penalty of perjury that the applicant has completed a recognized firearm safety training program within the last five years, as required by subsection (2) of this section.

(b) The application shall contain ~~((a))~~ two warnings substantially stated as follows:

(i) CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. State permission to purchase a firearm is not a defense to a federal prosecution; and

(ii) CAUTION: The presence of a firearm in the home has been associated with an increased risk of death to self and others, including an increased risk of suicide, death during domestic violence incidents, and unintentional deaths to children and others.

The purchaser shall be given a copy of the department of fish and wildlife pamphlet on the legal limits of the use of firearms~~((;))~~ and firearms safety~~((; and the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law))~~.

(c) The dealer shall, by the end of the business day, sign and attach his or her address and deliver a copy of the application and such other documentation as required under subsections (1) and (2) of this section to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident, or the state pursuant to subsection (3)(b) of this section. The triplicate shall be retained by the dealer for six years. The dealer shall deliver the pistol or semiautomatic assault rifle to the purchaser following the period of time specified in this chapter unless the dealer is notified of an investigative hold under subsection ~~((4))~~ (5) of this section in writing by the chief of police of the municipality ~~((or))~~, the sheriff of the county, or the state, whichever is applicable, ~~((denying))~~ or of the denial of the purchaser's application to purchase and the grounds thereof. The application shall not be denied unless the purchaser is not eligible to purchase or possess ~~((a pistol))~~ the firearm under ~~((RCW 9.41.040))~~ state or ~~((9.41.045; or))~~ federal law.

(d) The chief of police of the municipality or the sheriff of the county, or the state pursuant to subsection (3)(b) of this section, shall retain or destroy applications to purchase a pistol or semiautomatic assault rifle in accordance with the

requirements of 18 U.S.C. Sec. 922.

~~((6))~~ (7)(a) To help offset the administrative costs of implementing this section as it relates to new requirements for semiautomatic assault rifles, the department of licensing may require the dealer to charge each semiautomatic assault rifle purchaser or transferee a fee not to exceed twenty-five dollars, except that the fee may be adjusted at the beginning of each biennium to levels not to exceed the percentage increase in the consumer price index for all urban consumers, CPI-W, or a successor index, for the previous biennium as calculated by the United States department of labor.

(b) The fee under (a) of this subsection shall be no more than is necessary to fund the following:

(i) The state for the cost of meeting its obligations under this section;

(ii) The health care authority, mental health institutions, and other health care facilities for state-mandated costs resulting from the reporting requirements imposed by RCW 9.41.097(1); and

(iii) Local law enforcement agencies for state-mandated local costs resulting from the requirements set forth under RCW 9.41.090 and this section.

(8) A person who knowingly makes a false statement regarding identity or eligibility requirements on the application to purchase a ~~((pistol))~~ firearm is guilty of false swearing under RCW 9A.72.040.

~~((7))~~ (9) This section does not apply to sales to licensed dealers for resale or to the sale of antique firearms.

Sec. 4. WAITING PERIOD. RCW 9.41.092 and 2018 c 145 s 4 are each amended to read as follows:

(1) Except as otherwise provided in this chapter and except for semiautomatic assault rifles under subsection (2) of this section, a licensed dealer may not deliver any firearm to a purchaser or transferee until the earlier of:

~~((1))~~ (a) The results of all required background checks are known and the purchaser or transferee ~~((a))~~ (i) is not prohibited from owning or possessing a firearm under federal or state law and ~~((b))~~ (ii) does not have a voluntary waiver of firearm rights currently in effect; or

~~((2))~~ (b) Ten business days have elapsed from the date the licensed dealer requested the background check. However, for sales and transfers of pistols if the purchaser or transferee does not have a valid permanent Washington driver's license or state identification card or has not been a resident of the state for the previous consecutive ninety days, then the time period in this subsection shall be extended from ten business days to sixty days.

(2) Except as otherwise provided in this chapter, a licensed dealer may not deliver a semiautomatic assault rifle to a purchaser or transferee until ten business days have elapsed from the date of the purchase application or, in the case of a transfer, ten business days have elapsed from the date a background check is initiated.

NEW SECTION. Sec. 5. SECURE GUN STORAGE. A new

section is added to chapter 9.41 RCW to read as follows:

(1) A person who stores or leaves a firearm in a location where the person knows, or reasonably should know, that a prohibited person may gain access to the firearm:

(a) Is guilty of community endangerment due to unsafe storage of a firearm in the first degree if a prohibited person obtains access and possession of the firearm and causes personal injury or death with the firearm; or

(b) Is guilty of community endangerment due to unsafe storage of a firearm in the second degree if a prohibited person obtains access and possession of the firearm and:

(i) Causes the firearm to discharge;

(ii) Carries, exhibits, or displays the firearm in a public place in a manner that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons; or

(iii) Uses the firearm in the commission of a crime.

(2)(a) Community endangerment due to unsafe storage of a firearm in the first degree is a class C felony punishable according to chapter 9A.20 RCW.

(b) Community endangerment due to unsafe storage of a firearm in the second degree is a gross misdemeanor punishable according to chapter 9A.20 RCW.

(3) Subsection (1) of this section does not apply if:

(a) The firearm was in secure gun storage, or secured with a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm;

(b) In the case of a person who is a prohibited person on the basis of the person's age, access to the firearm is with the lawful permission of the prohibited person's parent or guardian and supervised by an adult, or is in accordance with RCW 9.41.042;

(c) The prohibited person obtains, or obtains and discharges, the firearm in a lawful act of self-defense; or

(d) The prohibited person's access to the firearm was obtained as a result of an unlawful entry, provided that the unauthorized access or theft of the firearm is reported to a local law enforcement agency in the jurisdiction in which the unauthorized access or theft occurred within five days of the time the victim of the unlawful entry knew or reasonably should have known that the firearm had been taken.

(4) If a death or serious injury occurs as a result of an alleged violation of subsection (1)(a) of this section, the prosecuting attorney may decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve no public purpose or would defeat the purpose of the law in question.

(5) For the purposes of this section, "prohibited person" means a person who is prohibited from possessing a firearm under state or federal law.

(6) Nothing in this section mandates how or where a firearm must be stored.

NEW SECTION. Sec. 6. AVAILABILITY OF SECURE GUN STORAGE. A new section is added to chapter 9.41 RCW to read as follows:

(1) When selling or transferring any firearm, every dealer shall offer to sell or give the purchaser or transferee a secure gun storage device, or a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm.

(2) Every store, shop, or sales outlet where firearms are sold, that is registered as a dealer in firearms with the department of licensing, shall conspicuously post, in a prominent location so that all patrons may take notice, the following warning sign, to be provided by the department of licensing, in block letters at least one inch in height:

WARNING: YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE AN UNSECURED FIREARM WHERE A PERSON WHO IS PROHIBITED FROM POSSESSING FIREARMS CAN AND DOES OBTAIN POSSESSION.

(3) Every store, shop, or sales outlet where firearms are sold that is registered as a dealer in firearms with the department of licensing, upon the sale or transfer of a firearm, shall deliver a written warning to the purchaser or transferee that states, in block letters not less than one-fourth inch in height:

WARNING: YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE AN UNSECURED FIREARM WHERE A PERSON WHO IS PROHIBITED FROM POSSESSING FIREARMS CAN AND DOES OBTAIN POSSESSION.

(4) Every person who violates this section is guilty of a class 1 civil infraction under chapter 7.80 RCW and may be fined up to two hundred fifty dollars. However, no such fines may be levied until thirty days have expired from the time warning signs required under subsection (2) of this section are distributed by the department of licensing.

Sec. 7. RCW 9.41.094 and 2018 c 201 s 6004 are each amended to read as follows:

A signed application to purchase a pistol or semiautomatic assault rifle shall constitute a waiver of confidentiality and written request that the health care authority, mental health institutions, and other health care facilities release, to an inquiring court or law enforcement agency, information relevant to the applicant's eligibility to purchase a pistol or semiautomatic assault rifle to an inquiring court or law enforcement agency.

Sec. 8. RCW 9.41.097 and 2018 c 201 s 6005 are each amended to read as follows:

(1) The health care authority, mental health institutions, and other health care facilities shall, upon request of a court, ~~((or))~~ law enforcement agency, or the state, supply such relevant information as is necessary to determine the eligibility of a person to possess a ~~((pistol))~~ firearm or to be issued a concealed pistol license under RCW 9.41.070 or to purchase a pistol or semiautomatic assault rifle under RCW 9.41.090.

(2) Mental health information received by: (a) The department of licensing pursuant to RCW 9.41.047 or 9.41.173; (b)

an issuing authority pursuant to RCW 9.41.047 or 9.41.070; (c) a chief of police or sheriff pursuant to RCW 9.41.090 or 9.41.173; (d) a court or law enforcement agency pursuant to subsection (1) of this section; or (e) the state pursuant to RCW 9.41.090, shall not be disclosed except as provided in RCW 42.56.240(4).

Sec. 9. RCW 9.41.0975 and 2009 c 216 s 7 are each amended to read as follows:

(1) The state, local governmental entities, any public or private agency, and the employees of any state or local governmental entity or public or private agency, acting in good faith, are immune from liability:

(a) For failure to prevent the sale or transfer of a firearm to a person whose receipt or possession of the firearm is unlawful;

(b) For preventing the sale or transfer of a firearm to a person who may lawfully receive or possess a firearm;

(c) For issuing a concealed pistol license or alien firearm license to a person ineligible for such a license;

(d) For failing to issue a concealed pistol license or alien firearm license to a person eligible for such a license;

(e) For revoking or failing to revoke an issued concealed pistol license or alien firearm license;

(f) For errors in preparing or transmitting information as part of determining a person's eligibility to receive or possess a firearm, or eligibility for a concealed pistol license or alien firearm license;

(g) For issuing a dealer's license to a person ineligible for such a license; or

(h) For failing to issue a dealer's license to a person eligible for such a license.

(2) An application may be made to a court of competent jurisdiction for a writ of mandamus:

(a) Directing an issuing agency to issue a concealed pistol license or alien firearm license wrongfully refused;

(b) Directing a law enforcement agency to approve an application to purchase a pistol or semiautomatic assault rifle wrongfully denied;

(c) Directing that erroneous information resulting either in the wrongful refusal to issue a concealed pistol license or alien firearm license or in the wrongful denial of a purchase application for a pistol or semiautomatic assault rifle be corrected; or

(d) Directing a law enforcement agency to approve a dealer's license wrongfully denied.

The application for the writ may be made in the county in which the application for a concealed pistol license or alien firearm license or to purchase a pistol or semiautomatic assault rifle was made, or in Thurston county, at the discretion of the petitioner. A court shall provide an expedited hearing for an application brought under this subsection (2) for a writ of mandamus. A person granted a writ of mandamus under this subsection (2) shall be awarded reasonable attorneys' fees and costs.

Sec. 10. RCW 9.41.110 and 2009 c 479 s 10 are each

amended to read as follows:

(1) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any pistol without being licensed as provided in this section.

(2) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any firearm other than a pistol without being licensed as provided in this section.

(3) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any ammunition without being licensed as provided in this section.

(4) The duly constituted licensing authorities of any city, town, or political subdivision of this state shall grant licenses in forms prescribed by the director of licensing effective for not more than one year from the date of issue permitting the licensee to sell firearms within this state subject to the following conditions, for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in RCW 9.41.010 through 9.41.810. A licensing authority shall forward a copy of each license granted to the department of licensing. The department of licensing shall notify the department of revenue of the name and address of each dealer licensed under this section.

(5)(a) A licensing authority shall, within thirty days after the filing of an application of any person for a dealer's license, determine whether to grant the license. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card, or has not been a resident of the state for the previous consecutive ninety days, the licensing authority shall have up to sixty days to determine whether to issue a license. No person shall qualify for a license under this section without first receiving a federal firearms license and undergoing fingerprinting and a background check. In addition, no person ineligible to possess a firearm under RCW 9.41.040 or ineligible for a concealed pistol license under RCW 9.41.070 shall qualify for a dealer's license.

(b) A dealer shall require every employee who may sell a firearm in the course of his or her employment to undergo fingerprinting and a background check. An employee must be eligible to possess a firearm, and must not have been convicted of a crime that would make the person ineligible for a concealed pistol license, before being permitted to sell a firearm. Every employee shall comply with requirements concerning purchase applications and restrictions on delivery of pistols or semiautomatic assault rifles that are applicable to dealers.

(6)(a) Except as otherwise provided in (b) of this subsection, the business shall be carried on only in the building designated in the license. For the purpose of this section, advertising firearms for sale shall not be considered the carrying on of business.

(b) A dealer may conduct business temporarily at a lo-

cation other than the building designated in the license, if the temporary location is within Washington state and is the location of a gun show sponsored by a national, state, or local organization, or an affiliate of any such organization, devoted to the collection, competitive use, or other sporting use of firearms in the community. Nothing in this subsection (6)(b) authorizes a dealer to conduct business in or from a motorized or towed vehicle.

In conducting business temporarily at a location other than the building designated in the license, the dealer shall comply with all other requirements imposed on dealers by RCW 9.41.090, 9.41.100, and ((9.41.110)) this section. The license of a dealer who fails to comply with the requirements of RCW 9.41.080 and 9.41.090 and subsection (8) of this section while conducting business at a temporary location shall be revoked, and the dealer shall be permanently ineligible for a dealer's license.

(7) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises in the area where firearms are sold, or at the temporary location, where it can easily be read.

(8)(a) No pistol or semiautomatic assault rifle may be sold: (i) In violation of any provisions of RCW 9.41.010 through 9.41.810; nor (ii) may a pistol or semiautomatic assault rifle be sold under any circumstances unless the purchaser is personally known to the dealer or shall present clear evidence of his or her identity.

(b) A dealer who sells or delivers any firearm in violation of RCW 9.41.080 is guilty of a class C felony. In addition to any other penalty provided for by law, the dealer is subject to mandatory permanent revocation of his or her dealer's license and permanent ineligibility for a dealer's license.

(c) The license fee for pistols shall be one hundred twenty-five dollars. The license fee for firearms other than pistols shall be one hundred twenty-five dollars. The license fee for ammunition shall be one hundred twenty-five dollars. Any dealer who obtains any license under subsection (1), (2), or (3) of this section may also obtain the remaining licenses without payment of any fee. The fees received under this section shall be deposited in the state general fund.

(9)(a) A true record in triplicate shall be made of every pistol or semiautomatic assault rifle sold, in a book kept for the purpose, the form of which may be prescribed by the director of licensing and shall be personally signed by the purchaser and by the person effecting the sale, each in the presence of the other, and shall contain the date of sale, the caliber, make, model and manufacturer's number of the weapon, the name, address, occupation, and place of birth of the purchaser, and a statement signed by the purchaser that he or she is not ineligible under ((RCW 9.41.040)) state or federal law to possess a firearm.

(b) One copy shall within six hours be sent by certified mail to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident, or the state pursuant to RCW 9.41.090; the duplicate the dealer shall within seven days send to the director of licensing; the

triplicate the dealer shall retain for six years.

(10) Subsections (2) through (9) of this section shall not apply to sales at wholesale.

(11) The dealer's licenses authorized to be issued by this section are general licenses covering all sales by the licensee within the effective period of the licenses. The department shall provide a single application form for dealer's licenses and a single license form which shall indicate the type or types of licenses granted.

(12) Except as provided in RCW 9.41.090, every city, town, and political subdivision of this state is prohibited from requiring the purchaser to secure a permit to purchase or from requiring the dealer to secure an individual permit for each sale.

Sec. 11. RCW 9.41.113 and 2017 c 264 s 2 are each amended to read as follows:

(1) All firearm sales or transfers, in whole or part in this state including without limitation a sale or transfer where either the purchaser or seller or transferee or transferor is in Washington, shall be subject to background checks unless specifically exempted by state or federal law. The background check requirement applies to all sales or transfers including, but not limited to, sales and transfers through a licensed dealer, at gun shows, online, and between unlicensed persons.

(2) No person shall sell or transfer a firearm unless:

(a) The person is a licensed dealer;

(b) The purchaser or transferee is a licensed dealer; or

(c) The requirements of subsection (3) of this section are met.

(3) Where neither party to a prospective firearms transaction is a licensed dealer, the parties to the transaction shall complete the sale or transfer through a licensed dealer as follows:

(a) The seller or transferor shall deliver the firearm to a licensed dealer to process the sale or transfer as if it is selling or transferring the firearm from its inventory to the purchaser or transferee, except that the unlicensed seller or transferor may remove the firearm from the business premises of the licensed dealer while the background check is being conducted. If the seller or transferor removes the firearm from the business premises of the licensed dealer while the background check is being conducted, the purchaser or transferee and the seller or transferor shall return to the business premises of the licensed dealer and the seller or transferor shall again deliver the firearm to the licensed dealer prior to completing the sale or transfer.

(b) Except as provided in (a) of this subsection, the licensed dealer shall comply with all requirements of federal and state law that would apply if the licensed dealer were selling or transferring the firearm from its inventory to the purchaser or transferee, including but not limited to conducting a background check on the prospective purchaser or transferee in accordance with federal and state law requirements ((and)), fulfilling all federal and state record-keeping requirements, and complying with the specific re-

quirements and restrictions on semiautomatic assault rifles in this act.

(c) The purchaser or transferee must complete, sign, and submit all federal, state, and local forms necessary to process the required background check to the licensed dealer conducting the background check.

(d) If the results of the background check indicate that the purchaser or transferee is ineligible to possess a firearm, then the licensed dealer shall return the firearm to the seller or transferor.

(e) The licensed dealer may charge a fee that reflects the fair market value of the administrative costs and efforts incurred by the licensed dealer for facilitating the sale or transfer of the firearm.

(4) This section does not apply to:

(a) A transfer between immediate family members, which for this subsection shall be limited to spouses, domestic partners, parents, parents-in-law, children, siblings, siblings-in-law, grandparents, grandchildren, nieces, nephews, first cousins, aunts, and uncles, that is a bona fide gift or loan;

(b) The sale or transfer of an antique firearm;

(c) A temporary transfer of possession of a firearm if such transfer is necessary to prevent imminent death or great bodily harm to the person to whom the firearm is transferred if:

(i) The temporary transfer only lasts as long as immediately necessary to prevent such imminent death or great bodily harm; and

(ii) The person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;

(d) A temporary transfer of possession of a firearm if: (i) The transfer is intended to prevent suicide or self-inflicted great bodily harm; (ii) the transfer lasts only as long as reasonably necessary to prevent death or great bodily harm; and (iii) the firearm is not utilized by the transferee for any purpose for the duration of the temporary transfer;

(e) Any law enforcement or corrections agency and, to the extent the person is acting within the course and scope of his or her employment or official duties, any law enforcement or corrections officer, United States marshal, member of the armed forces of the United States or the national guard, or federal official;

(f) A federally licensed gunsmith who receives a firearm solely for the purposes of service or repair, or the return of the firearm to its owner by the federally licensed gunsmith;

(g) The temporary transfer of a firearm (i) between spouses or domestic partners; (ii) if the temporary transfer occurs, and the firearm is kept at all times, at an established shooting range authorized by the governing body of the jurisdiction in which such range is located; (iii) if the temporary transfer occurs and the transferee's possession of the firearm is exclusively at a lawful organized competition involving the use of a firearm, or while participating in or practicing for a performance by an organized group that uses

firearms as a part of the performance; (iv) to a person who is under eighteen years of age for lawful hunting, sporting, or educational purposes while under the direct supervision and control of a responsible adult who is not prohibited from possessing firearms; (v) under circumstances in which the transferee and the firearm remain in the presence of the transferor; or (vi) while hunting if the hunting is legal in all places where the person to whom the firearm is transferred possesses the firearm and the person to whom the firearm is transferred has completed all training and holds all licenses or permits required for such hunting, provided that any temporary transfer allowed by this subsection is permitted only if the person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law;

(h) A person who (i) acquired a firearm other than a pistol by operation of law upon the death of the former owner of the firearm or (ii) acquired a pistol by operation of law upon the death of the former owner of the pistol within the preceding sixty days. At the end of the sixty-day period, the person must either have lawfully transferred the pistol or must have contacted the department of licensing to notify the department that he or she has possession of the pistol and intends to retain possession of the pistol, in compliance with all federal and state laws; or

(i) A sale or transfer when the purchaser or transferee is a licensed collector and the firearm being sold or transferred is a curio or relic.

Sec. 12. RCW 9.41.124 and 2015 c 1 s 7 are each amended to read as follows:

Residents of a state other than Washington may purchase rifles and shotguns, except those firearms defined as semiautomatic assault rifles, in Washington: PROVIDED, That such residents conform to the applicable provisions of the federal Gun Control Act of 1968, Title IV, Pub. L. 90-351 as administered by the United States secretary of the treasury: AND PROVIDED FURTHER, That such residents are eligible to purchase or possess such weapons in Washington and in the state in which such persons reside: AND PROVIDED FURTHER, That such residents are subject to the procedures and background checks required by this chapter.

Sec. 13. RCW 9.41.240 and 1994 sp.s. c 7 s 423 are each amended to read as follows:

(1) A person under twenty-one years of age may not purchase a pistol or semiautomatic assault rifle, and except as otherwise provided in this chapter, no person may sell or transfer a semiautomatic assault rifle to a person under twenty-one years of age.

(2) Unless an exception under RCW 9.41.042, 9.41.050, or 9.41.060 applies, a person at least eighteen years of age, but less than twenty-one years of age, may possess a pistol only:

((1)) (a) In the person's place of abode;

((2)) (b) At the person's fixed place of business; or

((3)) (c) On real property under his or her control.

(3) Except in the places and situations identified in RCW 9.41.042 (1) through (9) and 9.41.060 (1) through (10), a person at least eighteen years of age, but less than twenty-one years of age, may possess a semiautomatic assault rifle only:

(a) In the person's place of abode;

(b) At the person's fixed place of business;

(c) On real property under his or her control; or

(d) For the specific purpose of (i) moving to a new place of abode; (ii) traveling between the person's place of abode and real property under his or her control; or (iii) selling or transferring the firearm in accordance with the requirements of this chapter; provided that in all of these situations the semiautomatic assault rifle is unloaded and either in secure gun storage or secured with a trigger lock or similar device that is designed to prevent the unauthorized use or discharge of the firearm.

Sec. 14. RCW 9.41.129 and 2005 c 274 s 203 are each amended to read as follows:

The department of licensing ((may)) shall keep copies or records of applications for concealed pistol licenses provided for in RCW 9.41.070, copies or records of applications for alien firearm licenses, copies or records of applications to purchase pistols or semiautomatic assault rifles provided for in RCW 9.41.090, and copies or records of pistol or semiautomatic assault rifle transfers provided for in RCW 9.41.110. The copies and records shall not be disclosed except as provided in RCW 42.56.240(4).

NEW SECTION. Sec. 15. A new section is added to chapter 9.41 RCW to read as follows:

(1) Within twelve months of the effective date of this section, the department of licensing shall, in conjunction with the Washington state patrol and other state and local law enforcement agencies as necessary, develop a cost-effective and efficient process to:

(a) Verify, on an annual or more frequent basis, that persons who acquired pistols or semiautomatic assault rifles pursuant to this chapter remain eligible to possess a firearm under state and federal law; and

(b) If such persons are determined to be ineligible for any reason, (i) notify and provide the relevant information to the chief of police or the sheriff of the jurisdiction in which the purchaser resides and (ii) take steps to ensure such persons are not illegally in possession of firearms.

(2) The department of licensing, where appropriate, may consult with individuals from the public and private sector or ask the individuals to establish a temporary advisory committee to accomplish the purposes in subsection (1) of this section. Members of such an advisory committee are not entitled to expense reimbursement.

Sec. 16. RCW 9.41.010 and 2018 c 7 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the defini-

tions in this section apply throughout this chapter.

(1) "Antique firearm" means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock, percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(2) "Barrel length" means the distance from the bolt face of a closed action down the length of the axis of the bore to the crown of the muzzle, or in the case of a barrel with attachments to the end of any legal device permanently attached to the end of the muzzle.

(3) "Bump-fire stock" means a butt stock designed to be attached to a semiautomatic firearm with the effect of increasing the rate of fire achievable with the semiautomatic firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate reciprocating action that facilitates repeated activation of the trigger.

(4) "Crime of violence" means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, kidnapping in the second degree, arson in the second degree, assault in the second degree, assault of a child in the second degree, extortion in the first degree, burglary in the second degree, residential burglary, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to June 6, 1996, which is comparable to a felony classified as a crime of violence in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under (a) or (b) of this subsection.

(5) "Curio or relic" has the same meaning as provided in 27 C.F.R. Sec. 478.11.

(6) "Dealer" means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.

(7) "Family or household member" means "family" or "household member" as used in RCW 10.99.020.

(8) "Felony" means any felony offense under the laws of this state or any federal or out-of-state offense comparable to a felony offense under the laws of this state.

(9) "Felony firearm offender" means a person who has previously been convicted or found not guilty by reason of insanity in this state of any felony firearm offense. A person is not a felony firearm offender under this chapter if any and all qualifying offenses have been the subject of an expungement, pardon, annulment, certificate, or rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(10) "Felony firearm offense" means:

- (a) Any felony offense that is a violation of this chapter;
- (b) A violation of RCW 9A.36.045;
- (c) A violation of RCW 9A.56.300;
- (d) A violation of RCW 9A.56.310;

(e) Any felony offense if the offender was armed with a firearm in the commission of the offense.

(11) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. "Firearm" does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.

(12) "Gun" has the same meaning as firearm.

(13) "Law enforcement officer" includes a general authority Washington peace officer as defined in RCW 10.93.020, or a specially commissioned Washington peace officer as defined in RCW 10.93.020. "Law enforcement officer" also includes a limited authority Washington peace officer as defined in RCW 10.93.020 if such officer is duly authorized by his or her employer to carry a concealed pistol.

(14) "Lawful permanent resident" has the same meaning afforded a person "lawfully admitted for permanent residence" in 8 U.S.C. Sec. 1101(a)(20).

(15) "Licensed collector" means a person who is federally licensed under 18 U.S.C. Sec. 923(b).

(16) "Licensed dealer" means a person who is federally licensed under 18 U.S.C. Sec. 923(a).

(17) "Loaded" means:

- (a) There is a cartridge in the chamber of the firearm;
- (b) Cartridges are in a clip that is locked in place in the firearm;
- (c) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver;
- (d) There is a cartridge in the tube or magazine that is inserted in the action; or
- (e) There is a ball in the barrel and the firearm is capped or primed if the firearm is a muzzle loader.

(18) "Machine gun" means any firearm known as a machine gun, mechanical rifle, submachine gun, or any other mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into the firearm, mechanism, or instrument, and fired

therefrom at the rate of five or more shots per second.

(19) "Nonimmigrant alien" means a person defined as such in 8 U.S.C. Sec. 1101(a)(15).

(20) "Person" means any individual, corporation, company, association, firm, partnership, club, organization, society, joint stock company, or other legal entity.

(21) "Pistol" means any firearm with a barrel less than sixteen inches in length, or is designed to be held and fired by the use of a single hand.

(22) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(23) "Sale" and "sell" mean the actual approval of the delivery of a firearm in consideration of payment or promise of payment.

(24) "Secure gun storage" means:

(a) A locked box, gun safe, or other secure locked storage space that is designed to prevent unauthorized use or discharge of a firearm; and

(b) The act of keeping an unloaded firearm stored by such means.

(25) "Semiautomatic assault rifle" means any rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

"Semiautomatic assault rifle" does not include antique firearms, any firearm that has been made permanently inoperable, or any firearm that is manually operated by bolt, pump, lever, or slide action.

(26) "Serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies, as now existing or hereafter amended:

- (a) Any crime of violence;
- (b) Any felony violation of the uniform controlled substances act, chapter 69.50 RCW, that is classified as a class B felony or that has a maximum term of imprisonment of at least ten years;
- (c) Child molestation in the second degree;
- (d) Incest when committed against a child under age fourteen;
- (e) Indecent liberties;
- (f) Leading organized crime;
- (g) Promoting prostitution in the first degree;
- (h) Rape in the third degree;
- (i) Drive-by shooting;
- (j) Sexual exploitation;
- (k) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;
- (l) Vehicular homicide, when proximately caused by the driv-

ing of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(m) Any other class B felony offense with a finding of sexual motivation, as “sexual motivation” is defined under RCW 9.94A.030;

(n) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(o) Any felony offense in effect at any time prior to June 6, 1996, that is comparable to a serious offense, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious offense; or

(p) Any felony conviction under RCW 9.41.115.

~~((25))~~ (27) “Short-barreled rifle” means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

~~((26))~~ (28) “Short-barreled shotgun” means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

~~((27))~~ (29) “Shotgun” means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

~~((28))~~ (30) “Transfer” means the intended delivery of a firearm to another person without consideration of payment or promise of payment including, but not limited to, gifts and loans. “Transfer” does not include the delivery of a firearm owned or leased by an entity licensed or qualified to do business in the state of Washington to, or return of such a firearm by, any of that entity’s employees or agents, defined to include volunteers participating in an honor guard, for lawful purposes in the ordinary course of business.

~~((29))~~ (31) “Unlicensed person” means any person who is not a licensed dealer under this chapter.

NEW SECTION. Sec. 17. This act takes effect July 1, 2019, except for section 13 of this act which takes effect January 1, 2019.

NEW SECTION. Sec. 18. The director of the department of licensing may take the necessary steps to ensure that this act is implemented on its effective date.

NEW SECTION. Sec. 19. If any provision of this act or its application to any person or circumstance is held invalid or preempted by federal law, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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Complete Text

Initiative Measure No. 940

AN ACT Relating to law enforcement; amending RCW 9A.16.040; adding new sections to chapter 43.101 RCW; adding new sections to chapter 36.28A RCW; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

PART I TITLE AND INTENT

NEW SECTION. Sec. 1. This act may be known and cited as the law enforcement training and community safety act.

NEW SECTION. Sec. 2. The intent of the people in enacting this act is to make our communities safer. This is accomplished by requiring law enforcement officers to obtain violence de-escalation and mental health training, so that officers will have greater skills to resolve conflicts without the use of physical or deadly force. Law enforcement officers will receive first aid training and be required to render first aid, which will save lives and be a positive point of contact between law enforcement officers and community members to increase trust and reduce conflicts. Finally, the initiative adopts a “good faith” standard for officer criminal liability in those exceptional circumstances where deadly force is used, so that officers using deadly force in carrying out their duties in good faith will not face prosecution.

PART II REQUIRING LAW ENFORCEMENT OFFICERS TO RECEIVE VIOLENCE DE-ESCALATION TRAINING

NEW SECTION. Sec. 3. A new section is added to chapter 43.101 RCW to read as follows:

(1) Beginning one year after the effective date of this section, all law enforcement officers in the state of Washington must receive violence de-escalation training. Law enforcement officers beginning employment after the effective date of this section must successfully complete such training within the first fifteen months of employment. The commission shall set the date by which other law enforcement officers must successfully complete such training.

(2) All law enforcement officers shall periodically receive continuing violence de-escalation training to practice their skills, update their knowledge and training, and learn about new legal requirements and violence de-escalation strategies.

(3) The commission shall set training requirements through the procedures in section 5 of this act.

PART III REQUIRING LAW ENFORCEMENT OFFICERS TO RECEIVE MENTAL HEALTH TRAINING

NEW SECTION. Sec. 4. A new section is added to chapter 43.101 RCW to read as follows:

(1) Beginning one year after the effective date of this section, all law enforcement officers in the state of Washington must receive mental health training. Law enforcement officers beginning employment after the effective date of this section must successfully complete such training within the first fifteen months of employment. The commission shall set the date by which other law enforcement officers must successfully complete such training.

(2) All law enforcement officers shall periodically receive continuing mental health training to update their knowledge about mental health issues and associated legal requirements, and to update and practice skills for interacting with people with mental health issues.

(3) The commission shall set training requirements through the procedures in section 5 of this act.

PART IV

TRAINING REQUIREMENTS SHALL BE SET IN CONSULTATION WITH LAW ENFORCEMENT AND COMMUNITY STAKEHOLDERS

NEW SECTION. Sec. 5. A new section is added to chapter 43.101 RCW to read as follows:

(1) Within six months after the effective date of this section, the commission must consult with law enforcement agencies and community stakeholders and adopt rules for carrying out the training requirements of sections 3 and 4 of this act. Such rules must, at a minimum:

(a) Adopt training hour requirements and curriculum for initial violence de-escalation trainings required by this act;

(b) Adopt training hour requirements and curriculum for initial mental health trainings required by this act, which may include all or part of the mental health training curricula established under RCW 43.101.227 and 43.101.427;

(c) Adopt training hour requirements and curricula for continuing trainings required by this act;

(d) Establish means by which law enforcement officers will receive trainings required by this act; and

(e) Require compliance with this act's training requirements as a condition of maintaining certification.

(2) In developing curricula, the commission shall consider inclusion of the following:

(a) De-escalation in patrol tactics and interpersonal communication training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence;

(b) Alternatives to jail booking, arrest, or citation in situations where appropriate;

(c) Implicit and explicit bias, cultural competency, and the historical intersection of race and policing;

(d) Skills including de-escalation techniques to effectively, safely, and respectfully interact with people with disabilities and/or behavioral health issues;

(e) "Shoot/don't shoot" scenario training;

(f) Alternatives to the use of physical or deadly force so that deadly force is used only when unavoidable and as a last resort;

(g) Mental health and policing, including bias and stigma; and

(h) Using public service, including rendering of first aid, to provide a positive point of contact between law enforcement officers and community members to increase trust and reduce conflicts.

(3) The initial violence de-escalation training must educate officers on the good faith standard for use of deadly force established by this act and how that standard advances violence de-escalation goals.

(4) The commission may provide trainings, alone or in partnership with private parties or law enforcement agencies, authorize private parties or law enforcement agencies to provide trainings, or any combination thereof. The entity providing the training may charge a reasonable fee.

PART V

ESTABLISHING LAW ENFORCEMENT OFFICERS' DUTY TO RENDER FIRST AID

NEW SECTION. Sec. 6. A new section is added to chapter 36.28A RCW to read as follows:

(1) It is the policy of the state of Washington that all law enforcement personnel must render first aid to save lives.

(2) Within one year after the effective date of this section, the Washington state criminal justice training commission, in consultation with the Washington state patrol, the Washington association of sheriffs and police chiefs, organizations representing state and local law enforcement officers, health providers and/or health policy organizations, tribes, and community stakeholders, shall develop guidelines for implementing the duty to render first aid adopted in this section. The guidelines must: (a) Adopt first aid training requirements; (b) assist agencies and law enforcement officers in balancing competing public health and safety duties; and (c) establish that law enforcement officers have a paramount duty to preserve the life of persons whom the officer comes into direct contact with while carrying out official duties, including providing or facilitating immediate first aid to those in agency care or custody at the earliest opportunity.

PART VI

ADOPTING A "GOOD FAITH" STANDARD FOR LAW ENFORCEMENT OFFICER USE OF DEADLY FORCE

Sec. 7. RCW 9A.16.040 and 1986 c 209 s 2 are each amended to read as follows:

(1) Homicide or the use of deadly force is justifiable in the following cases:

(a) When a public officer applies deadly force ~~((is acting))~~ in obedience to the judgment of a competent court; or

(b) When necessarily used by a peace officer meeting the good faith standard of this section to overcome actual resistance to the execution of the legal process, mandate,

or order of a court or officer, or in the discharge of a legal duty((-)); or

(c) When necessarily used by a peace officer meeting the good faith standard of this section or person acting under the officer's command and in the officer's aid:

(i) To arrest or apprehend a person who the officer reasonably believes has committed, has attempted to commit, is committing, or is attempting to commit a felony;

(ii) To prevent the escape of a person from a federal or state correctional facility or in retaking a person who escapes from such a facility; ((or))

(iii) To prevent the escape of a person from a county or city jail or holding facility if the person has been arrested for, charged with, or convicted of a felony; or

(iv) To lawfully suppress a riot if the actor or another participant is armed with a deadly weapon.

(2) In considering whether to use deadly force under subsection (1)(c) of this section, to arrest or apprehend any person for the commission of any crime, the peace officer must have probable cause to believe that the suspect, if not apprehended, poses a threat of serious physical harm to the officer or a threat of serious physical harm to others. Among the circumstances which may be considered by peace officers as a "threat of serious physical harm" are the following:

(a) The suspect threatens a peace officer with a weapon or displays a weapon in a manner that could reasonably be construed as threatening; or

(b) There is probable cause to believe that the suspect has committed any crime involving the infliction or threatened infliction of serious physical harm.

Under these circumstances deadly force may also be used if necessary to prevent escape from the officer, where, if feasible, some warning is given, provided the officer meets the good faith standard of this section.

(3) A public officer ~~((or peace officer))~~ covered by subsection (1)(a) of this section shall not be held criminally liable for using deadly force without malice and with a good faith belief that such act is justifiable pursuant to this section.

(4) A law enforcement officer shall not be held criminally liable for using deadly force if such officer meets the good faith standard adopted in this section.

(5) The following good faith standard is adopted for law enforcement officer use of deadly force:

(a) The good faith standard is met only if both the objective good faith test in (b) of this subsection and the subjective good faith test in (c) of this subsection are met.

(b) The objective good faith test is met if a reasonable officer, in light of all the facts and circumstances known to the officer at the time, would have believed that the use of deadly force was necessary to prevent death or serious physical harm to the officer or another individual.

(c) The subjective good faith test is met if the officer intended to use deadly force for a lawful purpose and sincerely and in good faith believed that the use of deadly force was warranted in the circumstance.

(d) Where the use of deadly force results in death, substantial bodily harm, or great bodily harm, an independent investigation must be completed to inform the determination of whether the use of deadly force met the objective good faith test established by this section and satisfied other applicable laws and policies.

(6) For the purpose of this section, "law enforcement officer" means any law enforcement officer in the state of Washington, including but not limited to law enforcement personnel and peace officers as defined by RCW 43.101.010.

(7) This section shall not be construed as:

(a) Affecting the permissible use of force by a person acting under the authority of RCW 9A.16.020 or 9A.16.050; or

(b) Preventing a law enforcement agency from adopting standards pertaining to its use of deadly force that are more restrictive than this section.

PART VII MISCELLANEOUS

NEW SECTION. Sec. 8. The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act. Nothing in this act precludes local jurisdictions or law enforcement agencies from enacting additional training requirements or requiring law enforcement officers to provide first aid in more circumstances than required by this act or guidelines adopted under this act.

NEW SECTION. Sec. 9. Except where a different timeline is provided in this act, the Washington state criminal justice training commission must adopt any rules necessary for carrying out the requirements of this act within one year after the effective date of this section. In carrying out all rule making under this act, the commission shall seek input from the attorney general, law enforcement agencies, tribes, and community stakeholders. The commission shall consider the use of negotiated rule making. The rules must require that procedures under RCW 9A.16.040(5)(d) be carried out completely independent of the agency whose officer was involved in the use of deadly force; and, when the deadly force is used on a tribal member, such procedures must include consultation with the member's tribe and, where appropriate, information sharing with such tribe. Where this act requires involvement of community stakeholders, input must be sought from organizations advocating for: Persons with disabilities; members of the lesbian, gay, bisexual, transgender, and queer community; persons of color; immigrants; non-citizens; native Americans; youth; and formerly incarcerated persons.

NEW SECTION. Sec. 10. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 11. For constitutional purposes, the subject of this act is "law enforcement."

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Contact your county elections department

Adams County

210 W Broadway, Ste 200
Ritzville, WA 99169
(509) 659-3249
elections@co.adams.wa.us

Asotin County

PO Box 129
Asotin, WA 99402
(509) 243-2084
dmckay@co.asotin.wa.us

Benton County

PO Box 1440
Prosser, WA 99350
(509) 736-3085
elections@co.benton.wa.us

Chelan County

350 Orondo Ave, STE 306 Level 3
Wenatchee, WA 98801
(509) 667-6808
elections@co.chelan.wa.us

Clallam County

223 E 4th St, Ste 1
Port Angeles, WA 98362
(360) 417-2221
elections@co.clallam.wa.us

Clark County

PO Box 8815
Vancouver, WA 98666-8815
(564) 397-2345
elections@clark.wa.gov

Columbia County

341 E Main St, Ste 3
Dayton, WA 99328
(509) 382-4541
sharon_richter@co.columbia.wa.us

Cowlitz County

207 N 4th Ave, Rm 107
Kelso, WA 98626-4124
(360) 577-3005
elections@co.cowlitz.wa.us

Douglas County

PO Box 456
Waterville, WA 98858
(509) 888-6403 or (509) 888-6402
elections@co.douglas.wa.us

Ferry County

350 E Delaware Ave, Ste 2
Republic, WA 99166
(509) 775-5225 ext. 1139
delections@co.ferry.wa.us

Franklin County

PO Box 1451
Pasco, WA 99301
(509) 545-3538
elections@co.franklin.wa.us

Garfield County

PO Box 278
Pomeroy, WA 99347-0278
(509) 843-1411
ddeal@co.garfield.wa.us

Grant County

PO Box 37
Ephrata, WA 98823
(509) 754-2011 ext 2793
elections@grantcountywa.gov

Grays Harbor County

100 W Broadway, Ste 2
Montesano, WA 98563
(360) 964-1556
elections@co.grays-harbor.wa.us

Island County

PO Box 1410
Coupeville, WA 98239
(360) 679-7366
elections@co.island.wa.us

Jefferson County

PO Box 563
Port Townsend, WA 98368-0563
(360) 385-9119
elections@co.jefferson.wa.us

King County

919 SW Grady Way
Renton, WA 98057
(206) 296-8683
elections@kingcounty.gov

Kitsap County

614 Division St, MS 31
Port Orchard, WA 98366
(360) 337-7128
auditor@co.kitsap.wa.us

Kittitas County

205 W 5th Ave, Ste 105
Ellensburg, WA 98926-2891
(509) 962-7503
elections@co.kittitas.wa.us

Klickitat County

205 S Columbus Ave, Room 203
Goldendale, WA 98620
(509) 773-4001
voting@klickitatcounty.org

Contact your county elections department

Lewis County

PO Box 29
Chehalis, WA 98532-0029
(360) 740-1164
elections@lewiscountywa.gov

Lincoln County

PO Box 28
Davenport, WA 99122-0028
(509) 725-4971
elections@co.lincoln.wa.us

Mason County

PO Box 400
Shelton, WA 98584
(360) 427-9670 ext 470
elections@co.mason.wa.us

Okanogan County

PO Box 1010
Okanogan, WA 98840-1010
(509) 422-7240
elections@co.okanogan.wa.us

Pacific County

PO Box 97
South Bend, WA 98586
(360) 875-9317
jkidd@co.pacific.wa.us

Pend Oreille County

PO Box 5015
Newport, WA 99156
(509) 447-6472
elections@pendoreille.org

Pierce County

2501 S 35th St, Ste C
Tacoma, WA 98409
(253) 798-VOTE (8683)
pcelections@piercecountywa.gov

San Juan County

PO Box 638
Friday Harbor, WA 98250-0638
(360) 378-3357
elections@sanjuanco.com

Skagit County

PO Box 1306
Mount Vernon, WA 98273
(360) 416-1702
scelections@co.skagit.wa.us

Skamania County

PO Box 790
Stevenson, WA 98648-0790
(509) 427-3730
elections@co.skamania.wa.us

Snohomish County

3000 Rockefeller Ave, MS 505
Everett, WA 98201-4046
(425) 388-3444
elections@snoco.org

Spokane County

1033 W Gardner Ave
Spokane, WA 99260
(509) 477-2320
elections@spokanecounty.org

Stevens County

215 S Oak St, Rm 106
Colville, WA 99114-2836
(509) 684-7514
elections@stevenscountywa.gov

Thurston County

2000 Lakeridge Dr SW
Olympia, WA 98502-6090
(360) 786-5408
elections@co.thurston.wa.us

Wahkiakum County

PO Box 543
Cathlamet, WA 98612
(360) 795-3219
bergsengn@co.wahkiakum.wa.us

Walla Walla County

PO Box 2176
Walla Walla, WA 99362-0176
(509) 524-2530
elections@co.walla-walla.wa.us

Whatcom County

PO Box 369
Bellingham, WA 98227-0369
(360) 778-5102
elections@co.whatcom.wa.us

Whitman County

PO Box 191
Colfax, WA 99111
(509) 397-5284
elections@co.whitman.wa.us

Yakima County

PO Box 12570
Yakima, WA 98909-2570
(509) 574-1340
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WASHINGTON STATE ELECTIONS
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